



**National Report
on Strategies for Violence Prevention
in Child and Youth Age Groups in Germany**

Five Fields of Action



Arbeitsstelle Kinder- und
Jugendkriminalitätsprävention

Band 11

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for Violence Prevention
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Preface to the English edition

The present volume of the “National Report on Strategies for Violence Prevention in Child and Youth Age Groups in Germany” is based on the 2007 study published by the *Arbeitsstelle Kinder- und Jugendkriminalitätsprävention* (Centre for the Prevention of Youth Crime) concerning the strategies for violence prevention in child and youth age groups. The work group for this report was formed by the *Deutsches Forum für Kriminalprävention* (German Forum for Crime Prevention), the *Programm Polizeiliche Kriminalprävention der Länder und des Bundes* (Program for Police Orientated Criminal Prevention by the Federal Government and the States) and the *Deutsches Jugendinstitut* (German Youth Institute).

This book comprises contributions from experts working in a number of fields of action and provides explanations of the legislative framework, basic principles, and resulting violence prevention strategies.

The extremely positive reception of this report among Germany’s community of experts provided the motivation for this English edition. Except for the preface and the sections describing “school”, “family courts”, “media policy” and “supporting conditions for crime prevention strategies”, this English edition presents the original text in full, thus making a German debate available to a professional European and international audience. Ultimately, we also hope to reinforce the importance of the educational perspective on violence prevention in Europe.

1 Introduction

1.1 An Assessment of the Position of the Debate about Youth Violence Prevention

In 1990 – in other words, more than sixteen years ago – four thick red volumes appeared containing the results of the “Independent Governmental Commission on the Prevention and Control of Violence”, also known as the “Violence Commission”. The commission was set up and assigned its brief as the result of a cabinet decision in December 1987, and began work in February 1988. An interdisciplinary collaboration by high-ranking representatives from all relevant fields of action, the report comprehensively documented the current state of informed debate and research, provided various kinds of analyses of the manifestations, extent, and causes of violence, and formulated guidelines for prevention and punitive intervention according to the relevant field of action. This

was supplemented by a long list of surveys by sub-commissions and working groups, hearings, analyses, and experts' reports. These four volumes can with justification be regarded as a benchmark reference work¹.

It is necessary to be reminded of this survey and its results when, after the incident involving an individual running amok in Erfurt, and the more recent events in Berlin, Karlsruhe, Emsdetten, and other places in the Federal Republic of Germany, the theme of youth violence and the appropriate response to it not only dominates the headlines, but also repeatedly preoccupies political debates and large areas of professional practice in the police, the judiciary, the schools, and youth services². Recalling the findings of the violence commission and drawing on them for an assessment of the present-day situation proves helpful for several reasons.

First, one notices that, while indeed many of the explanatory methods then valid are still as relevant today, these have now been joined by preoccupations of markedly different stamp. For example, today questions of social disintegration, above all in connection with experiences of migration and social disadvantage, as well as the adoption of problematic stereotypes of masculinity (the criminologist Christian Pfeiffer has spoken repeatedly of "macho cultures") have acquired a perceptibly higher importance.

Secondly, even a cursory glance at the numerous efforts of those actively involved with, and accountable for, the problem of youth violence at local authority, regional or national level shows that practice has moved on noticeably in manifold respects. For example, the view that youth violence represents a challenge for all social groups and, consequently, that above all cooperative strategies are needed, has clearly become more widespread; in many places new concepts and strategies for preventing violence and overcoming experiences of violence have been successfully developed, tested and implemented; and numerous studies have deepened our knowledge of the causes, background, and contexts of youth violence. Not least, the number of studies evaluating the scope and sustainability of preventative countermeasures is growing slowly but steadily. Finally, important incentives in this field have been provided by the findings of the *Erster Periodischer Sicherheitsbericht* (First Periodical Report on Crime and Crime Control) in Germany, the foundation of the *Deutsches Forum für Kriminalprävention* (German Forum for Crime Prevention), in collaboration with the German Congresses on Crime Prevention (which have already become a traditional fixture) and a whole series of political rulings and decisions at national level, federal state level, and interregional level.

1 cf. Schwind/Baumann 1990

2 In the following report, the terms professional practice, professionals, professional expertise and semantically related words are used to designate all forms of professional, professionalised, and voluntary skilled activities within the police, judiciary, school system, and child and youth services.

In other words, seventeen years after the four volumes of the “Violence Commission” appeared, the time is ripe to attempt an interim reappraisal. With this in mind, the following report is to be understood as an attempt to document further developments in the field of preventing violence in child and youth age groups, and to specify the challenges to political experts at present discernible. However, in the process it will establish very different priorities to those set out in their broad and basic outlines in the surveys of the “Violence Commission” and its numerous appendices.

The following report concentrates primarily on the description of strategies for the prevention of violence in child and youth age groups in five fields of action³: family, child day-care, out of school provisions by the youth services in the young persons age group, police, and judiciary.⁴ In the case of child day-care, youth services, police, and judiciary, the allocation of responsibility is straightforward: it rests with those publicly accountable bodies that have senior responsibility for the prevention of violence in the youth age

3 The German report covers six fields of action and includes violence prevention at schools.

4 The principal omission here is the presentation of different forms in which violence appears and its extent, plus the various causative circumstances and explanatory methods, since in the meantime a series of further publications has come into being expanding on these topics

group. By contrast, as a private living space, the family occupies an exceptional position. However, since in recent years numerous efforts have been made to support family upbringing (with the intention also of rejecting violence⁵), and additionally a whole series of assistance and support provisions have made it their goal to break the vicious circle of intrafamilial violence, with its well-known negative consequences, the family has been included here as, in a broader sense, an important field of action.

The complexes of themes surrounding, on the one hand, youth violence and masculinity and, on the other, youth violence and migration experiences have been addressed. These, , have been treated in the form of overarching themes in the relevant fields of action. An individual section is also devoted to all of these common themes in Chapter 3 , which is concerned with future challenges.

First, however, it is necessary to give a brief outline of the key conceptual premises of this report. The following paragraphs, therefore, will present the conceptions of violence prevention and the concept of violence which here function as bases, as well as the level of description of violence-preventive strategies central to this report. A section on the structure of the report, including hints to the reader, concludes this chapter.

1.2 Conceptual Framework of the Report

1.2.1 Concept of Prevention in Relation to Violence

In the last fifteen years the concept of violence prevention, like the concept of crime prevention, has gained considerably in importance in the German-speaking world, analogously to developments in other European countries. However, the wide acceptance of preventive strategies which can be observed predominantly since the end of the 1980s, or beginning of the 1990s of the last century, has come at a heavy price: notions and concepts connected with it threaten to become increasingly unfocused themselves. Above all the view, appropriate in this case, that crime and violence prevention must be understood as responsibilities of the whole of society, has led to a positively inflationary expansion of the concept of crime and violence prevention. In the light of this expansion it then becomes an easy matter, for example, to point to every sport and spare time activity as an example of crime and violence prevention. Against such a background, the First Periodical Report on Crime and Crime Control in Germany established correctly that the present debate is frequently characterised by “very general considerations, and convictions in

5 Cf. in this connection the decision of the Conference of the Ministers for Youth of the federal states, “Outlawing Violence and Strengthening the Educational Force of Schools and Families”, 22-23 May 2003

part transferred from doctrinaire positions”⁶. “Instead of a precisely defined concept which presumes a clearly delineated object,” suggests the report, against this context “one is permitted, for the present, to make use of a circumlocution which ultimately includes in its view the vast span of the ‘field of prevention’, from social prophylaxis against general dangers at one end to suppression of structurally established criminality (on the lines of cross-border organised crime) at the other”⁶.

What this means for our understanding of crime prevention is described as follows. “If one chooses the approach via the concept of crime prevention, the following picture emerges: crime prevention can be defined as the sum total of precautions and measures which aim to reduce the extent and gravity of criminality by means of direct changes to the environment and/or direct or indirect influence on persons or their behaviour.”

This includes

- exertion of influence on the general public and (potential) lawbreakers, with the aim of promoting law-abiding behaviour and improving protection against victimisation of individual persons or their property;
- limitation of opportunities favourable to crime, especially through the presence of a vigilant “capable guardian” or through various forms of neighbourhood watch schemes;
- finally, “prevention by means of suppression” in the case of criminal acts already committed, in order to prevent further breaches of the law as far as possible (ibid.)

A point worth noting about this conception of crime prevention is that the “precautions and measures”, as they are described, are tightly bound up with the aim of “reducing the extent and gravity of criminality by means of direct changes to the environment and/or direct or indirect influence on persons or their behaviour”⁷. Transferred to the area of violence prevention, this means: the term “violence-preventive” can be applied to all programmes, strategies, measures, or projects which aim directly or indirectly to prevent or reduce violence. Violence prevention, in the sense in which it is used in this report, therefore aims to prevent or reduce violent behaviour by children and young persons. This means that violence prevention strategies need, as it were, to be justified in a particular way, by the extent to which one may expect of them that they aim principally at preventing or reducing violence in the child and youth age groups in a justifiable and comprehensible manner – either on the basis of convincing empirical evidence or experiences, or by means of plausible

6 see Bundesministerium des Inneren/Bundesministerium der Justiz (BMI/BMJ) 2001:456

7 Prevention is defined in quite similar fashion in the Police Service Technical Manual 100: “Prevention comprises the sum total of all governmental and private endeavours, programmes, and measures which avert, reduce, or minimise the consequences of criminality and traffic accidents, either as social phenomena or individual incidents.” (cf. PDV 100, Chap. “Strategie, Taktik, Leitlinien, Einschreitschwelle”, 24th addendum, January 2001, 1.2_19).

theoretical assumptions. It must be proven, therefore, to what extent the individual intermediate work targets and measures envisaged could plausibly be suited primarily to reducing or preventing violence, taking into account the relevant degree of risk and prevailing wider circumstances.

Against this background, and taking into account also current debates on the theme of violence in child and youth age groups, one of the concerns of the present report is to make a more precise distinction on this point than is usually the case. On the one hand, a distinction must be made between those strategies which aim predominantly at the prevention or reduction of violence by or amongst children and young people. These occupy a central place in the following report. On the other hand, these must be distinguished from those programmes, measures, and structures which, however motivated in individual cases (for example by family, educational, social or employment market politics, education, or integration), in favourable instances also have a violence-preventive effect. Two examples will serve to clarify this distinction, which is a structural basis of the present report:

The introduction of language courses at kindergarten for children with ethnic backgrounds and their parents is primarily a provision aimed at social integration of these families and opening up their communication opportunities and chances of participation in German society. It is true that these courses can, under specific circumstances, also have a violence-preventive effect – if, for example, children have learnt to come to an agreement in group conflicts with the aid of language and, as a consequence, renounce the use of their fists. However, one would not be doing justice to the claims and significance of language courses, if one were to reduce their prime concern to this violence-preventive aspect.

The present debate on development of parents' upbringing skills is an analogous case. This too does not, in the first instance, aim at violence prevention, but rather at general support of parents in discharging their child upbringing responsibilities. Without a doubt, no-one would dispute that successful family upbringing, in partnership with school and those involved in out-of-school activities, can also display violence-preventive effects. But to derive from this the conclusion that family upbringing, or support of it, can be conceived as violence prevention as such would fail to describe the matter adequately.

In relation to violence prevention, programmes and measures of this sort, such as the above examples of language development and development of parental upbringing skills, are of a rather unspecific and general kind. They are concerned with, for example, the reinforcement of civil society, the development of social skills, the promotion of individual protective characteristics, opening up life opportunities, and dismantling general handicap and risk factors and

structures. It is a distinctive feature of these programmes and measures that, in successful cases, and possibly by way of various intermediary processes, violence-preventive significance can be attached to them. By no means, however, is violence prevention their central concern – which can easily be recognised from the fact that, among other things, the same programmes, measures, and projects are (or can be) also utilised for quite different aims, for example health promotion and addiction prevention.⁸

In order to prevent any misunderstandings, it should be emphasised that these considerations do not constitute any arguments against social policy, educational improvement programmes, assistance strategies, and support projects. On the contrary: as independent duties these remain public obligations, in accordance with the principles of the welfare state. The argument here is solely against the instrumentalisation and tendentious proliferation of these programmes, measures, and projects with the aim of preventing violence or for other purposes, either topical or stimulated by the media.

1.2.2 Towards an Understanding of Violence: A Definition

The central point of reference of the strategies presented here is the prevention or reduction of violence in the child and youth age groups. Predominance is given to approaches which relate directly to actual violent behaviour, experiences with violent behaviour, or probable violent behaviour. In addition, strategies must also be considered which, as part of a critical confrontation with violence, attempt to understand the various meanings of violent behaviour in the child and youth age groups for those involved and those affected, and take these into account in the resolution of conflicts.

Since the concept of violence itself is one which is extremely multi-layered, difficult to categorise, and, above all, loaded with normative assumptions, when referring to violence the present report adopts and expands a suggestion of P. Imbusch (2002: p. 34 et seqq.), and concentrates above all on the following aspects:

- children and young people as individual or collective offenders who either exert violence or are potentially capable of it;
- children and young people as individual or collective victims of actual or potential exertion of violence, or as indirect participants in violent situations, for example violence against partners or in peer groups; and

8 At this point, it should at least be mentioned (without pursuing the matter further) that – independently of the considerations stated above – the labelling of these kinds of general socio-political or educational programmes, strategies, and projects raises a host of problematic implications, which provide further grounds for more precise distinctions than has frequently been common to date. These include the unavoidable general suspicion that the envisaged or actual participants/users of these measures must be viewed as actual or potential violent individuals, the dissolution of the boundaries of the prevention concept, and the ensuing impossibility to observe the effects of prevention in any way.

- the different forms of violence, in other words, the type and means of violence exerted in child and youth age groups.

If the strategies in question also consider the reasons for and causes, dynamics, and opportunity structures of violent behaviour in child and youth age groups, and the motives, goals, and justification patterns which emerge from these, then these are also included.

It must be remembered here that these aspects are primarily concerned with highly abstract distinctions. In reality, as numerous studies have shown, these aspects cannot be so clearly divided from one another. It is known, for example, that particularly in child and youth age groups offenders are frequently also victims, and that victims rapidly develop into offenders. The distinction between offender and victim, therefore, often has the character of a mere snapshot of an involved process.

Violence, therefore, is here understood primarily as physically, psychologically, socially, or materially damaging behaviour directed at other persons, exerted by or against children and young people. The above four dimensions (physical, psychological, social, and material) may appear both independently and in isolation, as well as in various combinations.

At the same time it is also true that violence can have very varied significance, both objectively and subjectively, in different social circumstances. What from an adult perspective seems an unacceptable act of violence might, from the perspective of the children or youths involved, be experienced as a normal or acceptable form of body-centred brawling for status positions, or of testing the limits of fairness, or simply as expression of vitality. Such differing attributions of significance to violence are not merely a question of age, but – as numerous studies attest – to a particular degree the expression of heterogeneous cultural environments. Amongst children and young people with ethnic backgrounds in particular, one frequently encounters different interpretations of physicality and violence.

For this reason it is especially true in child and youth age groups that there are socially recognised, legitimate and illegitimate forms of violence. These borders are, however, not merely fluid, but must also be experienced and learned for the first time in these very age groups. Against such a background, the formula “Rejecting Violence” certainly defines a central aspect of the matter, but delves into it too superficially. Deliberate confrontation with violence and experiences of violence – for example in the media, or in everyday life – represents an indispensable component of educational practice with children and young people.

Anyone who speaks about violence cannot avoid devoting special attention to all forms of politically, ideologically, and xenophobically motivated violence. Above all, in the Federal Republic of Germany, acts of violence by young

people motivated by right-wing extremism, anti-Semitism, and xenophobia have assumed an especially important role in the last fifteen years. In addition to a series of municipal initiatives and regional federal states programmes, national policy has reacted most significantly with its *Jugend für Toleranz und Demokratie – gegen Rechtsextremismus, Fremdenfeindlichkeit und Antisemitismus* (action programme for “Youth for tolerance and democracy – against right-wing extremism, xenophobia, and anti-Semitism) and the follow-up initiative *Jugend für Vielfalt, Toleranz und Demokratie – gegen Rechtsextremismus, Fremdenfeindlichkeit und Antisemitismus* (Youth for diversity, tolerance and democracy – against right-wing extremism, xenophobia and anti-Semitism). These – and also preceding programmes – have given numerous forms of impetus to professional practice. The experiences obtained, both here and elsewhere, of practical engagement with violent youths of right-wing extremist, anti-Semitic, or xenophobic orientation will be considered in the following report from the point of view of the strategies employed in each case. One should note, however, that engagement with, and suppression of, right-wing extremism, anti-Semitism, and xenophobia cannot simply be reduced to the youth violence aspect. The present report can only address this theme peripherally, in the form of an excursus (► Ch. 2.3.3 „Right-Wing Extremism“)

Finally, information on the current extent of violence in child and youth age groups has been omitted from this report, since the available data are contained in the Second Periodical Report on Crime and Crime Control in Germany.

1.2.3 The Concept of Strategy in Connection with Violence Prevention

As repeatedly stated already, the core of the present report is the overview of the state of practical strategies for violence prevention in five fields of action: family, pre-school/child day-care centres, child and youth services, police, and judiciary. The concept strategy, in the sense in which it is used here, denotes an interaction, founded on professional concepts, between the prevailing wider circumstances to be considered in each case, goals worth striving for, and the relevant intermediate work targets oriented towards these. Strategies for violence prevention are implemented on the initiative of those responsible, whether these are teachers, full-time or voluntary professional staff in child and youth services, members of the police service or judiciary, or parents. Under certain conditions, for example as part of conflict resolution projects, children and young people may themselves be involved. These strategies are, as it were, the foundations of practical violence prevention and provide its conceptual framework.

By placing the emphasis on strategies, a specific level of description is adopted. With this in mind, strategies can be defined as all pre-planned action steps and organisational measures which occupy a middle level of abstraction, are

grouped into a goal-oriented overall concept, and which, taking into consideration the relevant wider circumstances and degrees of risk, are, or could be, suitable for reducing or preventing the emergence of violent behaviour in child and youth age groups.

This means that strategies are distinguished, on the one hand, from political programmes, for example those of the German state at federal level the federal states, and, in certain cases, local authorities, and, on the other, from concrete projects in the field.⁹ By concentrating on the description of strategies of violence prevention, the focus of attention is placed on a level for which, in the German-speaking world, there have so far been few precedents. In contrast to those widely prevalent project presentations which take actually existing projects in the field as subjects of description, or the growing number of standardised procedures and methods for violence prevention, in the present case a middle level of description has been chosen. The reasons for this are simply that:

- in view of the evanescence and, for the most part, the highly localised involvement of practical projects, it makes little sense to describe these as such. Much more interesting are the working approaches and strategies underlying them – especially since only these are transferable elsewhere;
- the description of the relevant institutional and personal frameworks in the field would exceed the bounds of this report. For this presentation, therefore, the choice of a somewhat more general level suggests itself;
- a further advantage is the fact that the range of strategies available for practical work is more manageable than the large number of individual projects in the field, which additionally often combine several strategies.

At the same time we assume that professional challenges to react to policy and professional practice are especially recognisable at the level of strategy. Only when one has an overview of the range of instruments of violence prevention, which are, in principle, available can one provide well-grounded information on necessary expansion, foreseeable challenges, and further developments worth striving for professionally.

At the centre of the presentation are those educational, socio-educational, policing, and judicial strategies of schools, the child and youth services, the police, and the judiciary which are aimed at violence prevention. To the extent that, as part of this, continued and extended education must also be mentioned as violence prevention strategies aimed at professionals, it will examine the question of what specific skills are needed for this on the part of professional staff.

9 The concept of tactic, used above all by the police, describes by contrast “what means and procedures should be used to reach an objective in individual cases” (cf. PDV 100, Chap. “*Strategie, Taktik, Leitlinien, Einschreitschwelle*”, 24th addendum, January 2001, 1.2_19).

1.3 Aims and Structure of the Report

Notes for the Reader

The report is aimed both at policy-makers and those involved in professional practice. It pursues the aim of providing an overview of strategies for violence prevention in child and young age groups in the fields of action named above, including the common overarching themes, in a consolidated form. At the same time, the report is conceived as an invitation to those actively involved to risk also looking at adjacent fields of practice in violence prevention for children and young people. At its heart lies the hope that the reciprocal knowledge provided on the approaches, limits, and possibilities of those actively involved in this field might help to improve their practice and their co-operation.

The focus on the area of violence prevention in the youth age group places somewhat narrower limits than those suggested by the formula “Rejecting Violence”, as for example found in the decision of the Conference of Ministers for Youth on 22-32 May 2003 in Ludwigsburg, or the formulation of the corresponding legislation on rejecting violence in child upbringing of November 2000.¹⁰ Rejection of violence goes beyond the horizons of concrete strategies for violence prevention to raise fundamental questions about the relationship of this society to violence in child and youth age groups. The formula indicates a fundamental lack of understanding with regard to the “normality” of violence as it actually exists, at least in certain children’s and young people’s life environments. Value systems, and value judgements, are inevitably bound up with this.

The present report operates within the broad parameters of this problem, but as a report cannot itself assume a leading role in this debate. It limits itself, therefore, to violence prevention, in the hope of being able to make a practical contribution against the occasional impotence in the face of the supposed normality of violence in the everyday lives of children and young people.

However, in addition to the premises mentioned above, two limitations should be considered when reading this report:

- The cursory overview of currently available strategies for violence prevention in child and youth age groups in the fields described above does not imply any statements about their quality or proven practicality. Given the repeatedly emphasised inadequate state of evaluation studies in this area, the present report, too, cannot distinguish systematically between proven, good, and best practice. One of the central challenges in the future, therefore, will be to test the practical viability and sustainability of the strategies presented here.

10 “Law of 2/11/2000 on the Outlawing of Violence in the Upbringing of Children and Changes to the Child Support Legislation”, *Bundesgesetzblatt* 1/48 (7 November 2000), pp. 1479-1480.

- The fact that, in this report, various strategies are presented for the prevention or reduction of violence in the relevant fields of action does not also mean that these are available or used everywhere in the German Federal Republic. In extreme cases strategies are presented here which until now have only been tested in pilot form and at one location. As such the report, so to speak, outlines the range of strategic possibilities at the present time or, to express it more technocratically, the instruments currently available in the field of violence prevention in child and youth age groups. The fact that the full range of such instruments is not available everywhere is connected with the prevailing conditions in each location, which is another story. However, if the report should prove motivating, in the sense of stimulating reflection on the implementation of new strategies in the field and, together with this, on expansion of the scope of action to date, then this would be entirely in the spirit of the way the present report is conceived.

The presentation of the strategies of violence prevention follows the order of the fields of action already named. Other important themes, for example migration, gender, the media, co-operation, or participation (an important challenge particularly in youth age groups) are common to several fields of action and are addressed in individual subchapters. The presentation of individual fields of action in the subchapters can be read independently in each case. The articles dealing with the various fields of action are organised in such a way that a brief description of the structure of the field in question is given, before describing the essential strategies of violence prevention. In this way we hope to make it possible even for “alien” professionals from other fields of action to follow the logic of the relevant field of action and the preconditions of its strategies. Anyone who wishes to co-operate must be aware of what is happening around them. We hope that, in this way, we will also be able to disseminate knowledge about adjacent fields of action.

In a separate chapter of this volume, an outline is given of the supporting legal framework in the context of violence prevention, and developments during recent years in selected fields of practice. These form an essential precondition for the sustained effectiveness of the strategies mentioned in the sections on the fields of action.

In the general summary, first, challenges and incentives for professional practice common to more than one field of action are formulated, grouped into seven central thematic blocks; second, necessary and supportive social frameworks for policy are described; and, third, a summary presented of the key tasks by means of which violence prevention may be further developed in future with sound judgement.

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2 Strategies for Violence Prevention in Five Fields of Action

“Violence prevention” is a widespread and variously applied label. Given the resulting lack of clarity, violence prevention has little meaning when used as a catchall term. This report is mainly aimed at the individual fields of professional practice, so the focus in the following sections is on five fields of action for violence prevention, as previously discussed, (the family in chapter 2.1, child day-care supervision in chapter 2.2, child and youth services in chapter 2.3, the police in chapter 2.4, and the judicial system in chapter 2.5). The fields of action are arranged according to the ages of the children and young people making up the target group. The authors’ individual contributions are compiled as separate studies, and each chapter concludes with an overview of relevant literature. The pattern for all chapters is the same, commencing with an explanation of the legislative framework and the basic principles for each field of action and leading on to definitions of violence prevention strategies. Inevitably, experts and education professionals will in certain cases be familiar with aspects or other things taken as given within their field of action. But the essays are also aimed at professionals in other fields, thus necessitating an outline of basic conditions and principles in explanation of the diverse strategies in place. Overall, this report should promote closer relations and greater cooperation between the fields of action that until now worked in relative isolation.

2.1 Strategies for Violence Prevention in the Familial Context

Violence during childhood and adolescence in the familial context takes varying forms. On the one hand, children and young people may become victims of neglect, of psychological and/or physical abuse or of sexual abuse. On the other hand, they may be exposed to violent acts between their parents or carers, and thus be directly or indirectly affected by them. This chapter on strategies for violence prevention in the familial context is divided into two sections in line with this distinction. Section 2.1.1 concerns strategies for the avoidance of child endangerment, where children and young people become direct victims of adult violence. The subsequent section 2.1.2 focuses on ways in which the effects of partner violence on children and young people may be reduced. This way of treating the field of action takes into account the professional debate in this field, which is still to some degree being carried out in a divided fashion. To gain perspective on this subject, it would be desirable from the viewpoint of violence prevention for these strands to be systematically

intertwined. The preoccupation with these phenomena in isolation means that the overlaps between varying forms of violence against children and young people are not being addressed and thus justice is not always being done to the reality of the situation in an appropriate manner.

2.1.1 Child Welfare and Child Endangerment

All people – and that includes children and young people – share the right to the free development of the individual, to life and to physical integrity as is enshrined in our constitution.¹¹ Many needs and rights of children are also described in the Convention on the Rights of the Child (UNCRC) of 1989. In ratifying this treaty in April 1992 the Federal Republic of Germany pledged to uphold it according to international law. Article 19 of the international convention stipulates that the child should be protected “from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse”.

The degree to which the needs and rights of children are being observed and implemented differs around the world from country to country depending on specific cultural, social and political contexts. In what follows the varying forms of violence against children within the family are firstly described and the consequences for child development are sketched. The legal framework for child protection is then outlined in respect of Germany. In the main section strategies for the prevention of violence are introduced and the need for the further development and expansion of child protection is discussed.

2.1.1.1 Neglect, psychological and physical child maltreatment and sexual abuse

The *forms of violence* against children described below primarily delineate the varying endangerment situations in terms of content and are not particularly to be seen as providing general definitions.

Neglect is “the persistent or repeated omission of protective behaviour on the part of those persons responsible for the care of children (parents or others authorised by them as carers), necessary for the ensuring of the physical and psychological care of the child. This omission may be active or passive (unconscious) due to insufficient understanding or insufficient knowledge. The chronic lack of care of the child due to neglect caused by the lack of consideration, disregard or withholding of its requirements for life inhibits, impairs or causes injury to its physical, intellectual and mental development and can lead to serious enduring damage or even to the death of the child”¹². A distinction has been made between emotional, cognitive, physical and medical neglect and insufficient supervision¹³.

11 see art. 2 of the *Grundgesetz* [German Basic Law]

12 see Schone et al. 1997: 21

13 cf. Deegener/Körner 2005b

Psychological (emotional, mental) child abuse is present, when those people responsible for the care of a child persistently or repeatedly

- terrorise it (threats, intimidation, excessive demands, etc.),
- reject it (constant criticism, belittling, humiliation, etc.),
- isolate it (imprisonment, frequent refusal of contact, etc.),
- bring it up deliberately inconsistently and in a conflicting manner,
- corrupt it (foster anti-social behaviour, etc.)
- and thereby endanger the healthy psychological and/or physical development of the child¹⁴.

Physical (bodily) *child abuse* is understood to include all acts by parents or other key carers carried out by use of physical force or violence which any reasonable third party would foresee as likely to cause considerable physical or psychological damage to the child and its development, or as carrying a high risk of such consequences occurring¹⁵.

In order to reach a definition of *sexual abuse*, various aspects have to be merged. On the one hand, there is the societal normalisation of the rights of children¹⁶; on the other, the damaging effects of sexual acts on, or in front of, children and young people. These aspects are accounted for in differing ways in the definitions used by various occupational fields and fields of action.

One may differentiate between narrow and broad definitions of sexual abuse.

Narrow definitions include only acts with direct bodily contact, unambiguously identifiable as sexual, between victims and perpetrators (that is, direct contact of the skin, in a way that serves the satisfaction of the sexual needs of the adult, with the breast or the genitals of the child through to vaginal, anal or oral rape)¹⁷.

Broad definitions of sexual abuse also include sexual acts with indirect bodily contact (e.g. through clothing) and those without physical contact, such as, for instance, exhibitionism. In this way their damaging effects are also taken into consideration. Demarcations are being sought in these diverse definitions in order to facilitate assessments in individual cases. The drawing of these demarcation lines is often very difficult, since none of the available definitions does justice to all borderline cases¹⁸.

14 cf. Amelang/Krüger 1995, Engfer 1986

15 The debate about the definition of child abuse makes particular reference to the following issues: to what degree is physical abuse only mentioned when damage has already occurred or has already been threatened? Are physical injuries alone taken into account, or are psychological ones also considered? Must a deliberate act have taken place or is the negligent use of violence deemed child abuse? To what degree do religious or cultural practices constitute an exception (e.g. male circumcision)? On this debate, see Kindler 2006a.

16 On this, see, for example, § 34 of the UN Convention on the Rights of the Child and Ch. 2.1.1.2 Legislative framework.

17 see Wipplinger/Amann 1998

18 cf. Unterstaller 2006a

This means that classifying an act as sexual abuse can be difficult. Different criteria assist in facilitating assessments as to whether an act should be seen as sexual abuse or not. Here, for instance, the imbalance of power between perpetrators and victims should be mentioned. This criterion does not assist in differentiating any further in cases involving adults and children, but in cases of sexual acts between minors, for instance, between siblings, it assists decision-making. A further criterion, which should be mentioned, is the intention of the perpetrator. This aspect in particular is, however, often difficult for third parties, who have to decide on the situation being reported, to deduce.

Beyond this, the following criteria are to be found in the specialist literature: “(...) the difference in age between victims and perpetrators, the victim’s sense of having been abused, the consequences of the abuse, the use of force and violence by the perpetrator, the build-up of pressure to keep things secret, the lack of empathy of the perpetrator, as well as cultural contexts”¹⁹.

Bange and Deegener (1996: 105) have formulated a further definition, which comprises the following criteria: “Any sexual act is sexual abuse if it is carried out either on, or in front of a child against its will, or where a child cannot knowingly agree to it due to physical, psychological, cognitive or linguistic inferiority. The perpetrator uses his position of power and authority to satisfy his own needs at the cost of the child”.

Extent

Up till now it has not been possible to make reliable statements on the extent of child neglect and psychological child abuse in Germany. There is a lack of representative study findings, although they are urgently needed in respect of prevention and the planning of support provision. The current findings, which rely only on estimations and a few non-representative data²⁰, however, allow one to assume, that child neglect is by far the most frequent form of endangerment in cases of child endangerment known to the child and youth welfare services. The general drift of this assertion is underpinned by the fact that the situation in other western industrial countries is similar.

Better documented is the extent of *physical parental violence*, although there is also a lack of representative findings in this regard. Published studies²¹ support the assertion, that the majority of parents employ at least minor forms of physical

19 see Unterstaller 2006a: 6-3

20 cf. Münden et al. 2000, overview in Deegener 2005. A study by Münden et al. (2000) shows that in applications to the court, in almost two thirds (65.1%) of all cases, the professional staff of the youth welfare services cited child neglect as a marker of endangerment. In every second case (50%) it was seen as the key endangerment indicator. Over a third (35.2%) of affected children are less than three years old. Other endangerment indicators were given primacy at the following rates of frequency: mental abuse 12.6%, physical abuse 6.6%, sexual abuse 7.9%, conflicts of autonomy 5.7%, parental conflicts 4.1%, other 7.9%, no data 5.3%.

21 cf. overview in Deegener 2005

violence, such as, for instance, slaps to the face or a smack. With the inclusion of infrequent and minor physical violence, Pfeiffer and Wetzels (1997) assume that around 70% to 80% of all children experience physical parental violence. That also corresponds with the results of the most recently published study by.²² Nonetheless, for over 90% of parents asked in 2005 their ideal upbringing was non-violent²³. In his summary of study findings Engfer (2005) drew the conclusion, that 10% to 15% of parents used serious and frequent physical punishment.

It is possible to make some assertions about the extent of *sexual abuse*, although barely any representative studies have been published either on this subject for Germany.²⁴ The findings of Wetzels (1997)²⁵, for instance, prove that approx. 7% of men and 18% of women in Germany were affected by sexual violence in childhood. Dependent on which definitions were taken as a basis, the figures on the extent of sexual abuse in other studies carried out in western industrial nations fluctuated between 7% and 36% in affected women and between 3% and 19% in affected men²⁶.

On the basis of a comparison between national and international representative and non-representative surveys Bange and Deegener (1996) assume, that every fourth or fifth girl and every twelfth boy in Germany is affected by sexual violence. The ratio of female to male victims in international studies demonstrates on average a 1.5 to 3 times higher rate for women than for men²⁷.

The findings of investigations indicated that the majority of vulnerable children are not exposed to only one form of violence²⁸. Moreover, children, who have already been victims of violence, demonstrated that they were at high risk of becoming victimised again²⁹. According to a longitudinal study by Wu et al. (2004) on the commencement of neglect or occurrence of maltreatment, over 50% of all endangerment incidents reported took place in the first three years of life in families with three or more risk factors.

22 cf. Bussmann (2002, 2003, 2005). In 2001/2002 and 2005 Bussmann carried out investigations on the effects of the change in the law (§ 1631 paragraph 2 BGB) and compared the findings with those of studies from 1992 to 1996. In 2002 almost 70% of adolescents reported minor slaps around the face (in 1992 over 81% did).

23 see Bussmann 2005

24 Wetzels 1997, non-representative studies by Richter-Appelt 1995, Raupp 1993, Bange/ Deegener 1996 et al.

25 Wetzels (1997) based his retrospective survey on differing (narrow and broad) definitions. The figures mentioned include all forms of sexual violence against children.

26 cf. Finkelhor 1998

27 cf. Finkelhor 1998

28 see Deegener 2005 et al.

29 see Jonson-Reid et al. 2003

Risk constellations

Risk factors alone do not increase the likelihood of neglect and abuse but rather do so when brought together or in interplay.³⁰ In a longitudinal study by Brown et al. (1998) the risk of abuse and neglect increased at a threshold of three or more risk factors from under 10% to just less than 25%.

Among the most important risk factors for maltreatment in particular are relationship violence (► Ch. 2.1.2 „Partner Violence“), earlier abuse of the child, the affirmation of harsh punishments and the rejection of the child³¹. Further risk of violence against children lies in the abuse or neglect experiences of one parent, high impulsiveness, a marked sense of stress and in child-related deficiencies, e.g. a lack of the capacity for empathy as to the needs of the child, a negatively distorted perception and unrealistic expectations of the child in relation to its autonomy and its behaviour. Within the context of psychological problems, depressive disorders, parental addictions and a number of less common dysfunctions³² are considered risks. Features of family life, such as poverty³³, single parent status, families with lots of children or young mothers, are weak predictive risk factors in themselves, but in combination with risk factors with higher predictive power and particularly cumulatively, are of importance³⁴.

It is barely possible to name any separate risk factors in respect of sexual abuse. In two longitudinal studies what emerged above all was little care for the child's welfare³⁵ and little emotional support from the mother³⁶.

If a child has already been the victim of sexual abuse, the probability of revictimisation and the endangerment of sibling children should be taken into account³⁷. On an individual basis, varying indicators allow to assess the in-

30 Within the frame of an assessment as to whether a child is currently exposed to a high risk of endangerment or is threatened by it, several procedural and criteria-oriented aspects should be considered. The following issues need to be addressed: to which risks is a child exposed, but also which resources are available to it? To what degree are the child's needs being fulfilled? To what degree do the parents or third parties embrace their parental role? Which symptoms and undesirable developments are the results of the neglect or maltreatment?

31 cf. Kindler 2006b

32 Proof is offered, for instance, for the link between an anti-social personality disorder and the risk of abuse (Walsh et al. 2002 and others).

33 Most children known to be vulnerable grow up in financial poverty, (Münder et al. 2000,) and the larger proportion of small children suffering from neglect come from families with a low socio-economic status (von Hofacker 2000). One cannot, however, draw the reverse conclusion. The number of affected families living in relative poverty is very large and most of the affected families of course do not neglect or abuse their children. Marked economic deprivation does, however, increase the risk of neglect. It is not disputed that it is not only absolute poverty, but relative poverty as well, that has a negative effect on child development. It should also be mentioned that neglect of children from wealthy backgrounds, such as emotional neglect, is barely known to child and youth welfare services.

34 cf. research overviews on risk factors for abuse and neglect in Connell-Carrick 2003, Righthand et al. 2003, Black et al. 2001a, Schumacher et al. 2001

35 cf. Fergusson et al. 1996

36 cf. Pianta et al. 1989, Kindler 2003

37 cf. overview of research by Wilson 2004a

creased or reduced risk of revictimisation or of a repeat of the crime after a proven or very probable case of sexual abuse. Research on recidivism in sex offenders, which largely sees a repeat conviction as a relapse, lists as examples alcohol problems and paedophilia as factors, which increase risk. Factors, such as a fraught mother-child relationship, the presence of maltreatment in the family, or the absence of the (social) father in early childhood, also increase the risk of the repeat abuse of affected minors. What can have the effect of reducing the risk of revictimisation is if the abuser undertakes therapy corresponding with the current state of research and practice.³⁸

Consequential problems

The maltreatment and neglect of children can have a considerable negative effect on their emotional and cognitive development and cause physical damage or, indeed, result in death. The extent of consequential problems has less to do with the form of violence against children than with the duration and severity of the occurrences of neglect or maltreatment³⁹, the overlapping of forms of endangerment⁴⁰ and other stress factors. The causal effects of neglect, maltreatment and abuse can worsen significantly in interplay with the cumulation of additional pressures.

The consequences take varying forms dependent on the kind and extent of child endangerment within the context of its wider life circumstances.⁴¹ There are proven links between neglect or maltreatment, on the one hand, and problematic attachment relationships, dysfunctions of the interest and cognitive development (problems with school performance), low self-esteem, psychological disorders (aggressive, anti-social behavioural abnormalities, depression, post-traumatic stress disorders, addiction, etc.) and health issues (e.g. disabilities caused especially by the shaken baby syndrome), on the other hand.⁴²

38 See Kindler 2006b, overview of the state of research in Wilson 2004b and Coulburne Fuller 1993.

39 A series of studies on all forms of violence reveal an exposure-response effect. In relation to neglect, see, for instance, Kinard 2004, on physical abuse, see Thornberry et al. 2001, on psychological abuse, see Bifulco et al. 2002, Edwards et al. 2003, on sexual abuse, see the overview of research by Kendall-Tackett et al. 1998.

40 Marked negative effects are to be found in the interaction between varying forms of endangerment or multiple endangering situations, e.g. in Bifulco/Moran 1998, Bagley/Mallick 2000, Dance et al. 2002, Edwards et al. 2003.

41 Proof of this has been found for varying stressors. The following interconnections have been described in an exemplary way: children, who as a result of their physical development appeared to be particularly vulnerable, e. g. premature babies, exhibited particularly negative responses to neglect (Mackner et al. 1997, Strathearn et al. 2001 among others). After sexual abuse children on average develop serious symptoms where there is little emotional support in the family, and where parents, for instance, react in the form of denial, rejection or even punishment (Unterstaller 2006b).

42 Overviews of the state of research on the consequences of physical child abuse may be found, for instance, in Kolko 2002, Kaplan et al. 1999. In comparison with physical abuse there are considerably fewer findings available on the effects of child neglect; in comparison with

The long-term consequences for the suffering of the affected individual depends on the interaction of the individual stressors and resources⁴³, which can alleviate certain problems when taken together and may foster positive development.⁴⁴

2.1.1.2 Legislative framework

The legislature has also recognised the significance of early prevention of violence against children and has taken it into account in the *Gesetz zur Ächtung der Gewalt in der Erziehung und zur Änderung des Kindesunterhaltsrechts* (Act Outlawing Violence in the Upbringing of Children and Amending the Law on Child Maintenance) of 2 November 2000.⁴⁵ The newly formulated § 1631 paragraph 2 of the *Bürgerliches Gesetzbuch* (German Civil Code; *BGB*) states unambiguously that children have a right to a violence-free upbringing and that physical punishment, mental damage and other degrading actions are illegal.

The demand thus expressed in § 1631 para. 2 German Civil Code for a violence-free upbringing appeals to the understanding and responsibility of those people who are concerned in the supervision of the child. The provision in the Civil Code, however, does not indicate any direct consequences – for instance, a criminal penalty - for its transgression. Flouting of the law is, however, understood as the expression of a lack of competence in child rearing⁴⁶ and should be taken into consideration accordingly within the frame of proceedings in the family courts concerning parental care⁴⁷.

The accompanying research commissioned by the Federal Ministry for the Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Justice on the effects of the Act to Outlaw Violence is based among other things on a survey carried out in 2001 and 2002 and again in 2005 on young people and parents; its overall finding is that there is a trend towards less

psychological abuse, however, there are substantially more. An overview of the research is published in, among others, Hildyard/Wolfe 2002.

- 43 Resilience research demonstrates that varying resources in combination can increase the psychological resilience of the child towards biological, psychological and psychosocial developmental risks, such as maltreatment and neglect. Such personal resources include, among others, a stable attachment figure who fosters trust and autonomy in the child, problem-solving skills, good social competence, belief in self-efficacy, and positive interests. Social resources within the familial and extra-familial environment include, for instance, appropriate parenting behaviour, stability and constructive communication within the family, a supportive social network and resources at a local level (supervisory and support provision for children, etc.).
- 44 Resources can support children and young people in overcoming burdensome developmental conditions, even though the damaging effects of experiencing serious violence generally cannot be averted (Lillig 2006).
- 45 *Bürgerliches Gesetzbuch* (German Civil Code), BGBl. I p. 1479, the so-called „Act to Outlaw Violence“.
- 46 On the detailed determination, see Dettenborn/Walter 2002.
- 47 One might think here, for instance, of the provisions governing parental care after parental separation according to §§ 1671f. German Civil Code (BGB) or the legal measures in cases of the endangerment of a child's welfare in line with §§ 1666, 1666a German Civil Code.

violence in the upbringing of children⁴⁸. In families fraught with violence, however, the use of physical violence has not decreased, but remains at a relatively high level, and the number of families fraught with violence has barely changed⁴⁹.

The *legal basis* for the punishment of violence against children is the provision outlined in § 225 of the Criminal Code on “the maltreatment of wards”, which names maltreatment and neglect as statutory offences, but which can as penal provision not be seen as a preventative measure. Nonetheless, police criminal statistics⁵⁰ for the last years report an increasing growth in reported cases of child abuse. An explanation for this could be an increased sensibility towards violence against children within society, which in the longer-term might be accorded a more primary preventative significance. §§ 176, 176a and 176b *Strafgesetzbuch* (penal code) regulate the legal provision on the sexual abuse of children. Since 2003 the number of reported cases has decreased and in 2005 was at its lowest level since 1993.

In the run-up to endangerment of child welfare, as well as in the case of impending or existing endangerment, the welfare programme of the Social Code Book VIII offers protection for children and young people (► 2.1.1.3 „Practice-Based Strategies”).

Public youth welfare offers parents, in as far as their perception of parental responsibility is based on child welfare, programmes to support child development, if they wish, in accordance with supported rearing of children in line with §§ 11 to 26 Social Code Book VIII. The child should thereby be protected from dangers to its welfare⁵¹.

If “an upbringing is not guaranteeing the welfare of a child or of a young person”⁵², but the boundaries of endangerment of child welfare have not been overstepped, the parents and carers are entitled to assistance with child upbringing in line with §§ 27 to 35 Social Code Book VIII. Such assistance should put a halt to the entrenchment of upbringing practices, which do not foster child welfare.

The new regulation, § 8a Social Code Book VIII (“Protective Mandate in Cases of Child Endangerment”) which came into force on 1 October 2005 in the Act for the Development of child and youth services, on the contrary, concerns itself with the design of the procedure for the prevention of directly threatened child endangerment, for which “solid principles”⁵³ already exist, thus no longer making reference to early recognition of risk factors and endangerment. The

48 cf. Bussmann 2002, 2003, 2005

49 cf. Bussmann 2005

50 cf. police criminal statistics 2005, www.bka.de/pks

51 cf. Schmid/ Meysen 2006

52 see § 27 para. 1 Social Code Book VIII

53 see § 8a para. 1 Social Code Book VIII

focus is now on the collaboration between professionals, particularly independent providers and the child and youth office towards improved action in respect of child protection. It must aim to formulate unified standards for quality in the design of the protective mandate.⁵⁴

The appeal to the courts is also formulated within this provision, should the child and youth office consider recourse to this to be necessary or “should the legal guardians or those responsible for the care of the child be unwilling or unable to collaborate in the assessment of the risk of endangerment”⁵⁵. The basis and standard for actions of the family courts are the provisions of § 1666 BGB (German Civil Code), which, in the case of an existing endangerment to the child’s welfare – “in the abusive exercising of parental care, in the neglect of the child, in the innocent break-down of parental care or in the behaviour of a third party” – determines, that “the Family Court, if the parents are not minded, or able, to prevent the danger, should take steps to prevent it”⁵⁶. These measures, however, are of a decidedly interventionist nature.

The prevention act should, on the other hand, be seen in connection with primary prevention, the design of which⁵⁷ is being debated again by the legislature. It is also mentioned in the Coalition Agreement as a goal towards which the governmental parties should work. The design makes reference primarily to the promotion of health, which also has significance in respect of the prevention of violence against children. The very important interweaving of the differing preventative fields is also taken into consideration in the current emphasis in family policy, the “early support for vulnerable children” (► Ch. 2.1.1.4 “Political Strategies”).

The *legal framework*, such as the use of the *Polizeiengesetz* (German States Police Act for the Guidance or Removal of the Violent Person), the *Gewaltschutzgesetz* (Act for the Protection against Violence), the right to a violence-free upbringing⁵⁸, the *Kinderrechteverbesserungsgesetz* (Children’s Rights Improvement Act)⁵⁹ and the Protective Mandate in cases of Child Endangerment⁶⁰ extend the possibilities for protection and send signals in respect of changing societal norms. This can also be expected from legal changes aimed at dealing with stalking and forced marriage.

54 See, for instance, the “recommendations of the German Child Protection League for the professional handling of the Protective Mandate in cases of Child Endangerment according to the provisions of SGB VIII, particularly of § 8a SGB VIII (Employment Aid)”.

55 see § 8a para. 3 Social Code Book VIII

56 see § 1666 para. 1 BGB (German Civil Code)

57 German Parliament (2005), *Gesetzentwurf der Fraktionen SPD und Bündnis 90/Die Grünen. Entwurf eines Gesetzes zur Stärkung der gesundheitlichen Prävention* dated 15.2.2005, BT-Drucksache 15/4833.

58 see § 1631 BGB (German Civil Code)

59 see § 1666 BGB (German Civil Code)

60 see § 8a Social Code Book VIII

2.1.1.3 Professional practice-based strategies for the prevention of child endangerment

Programmes offered by the Child and Youth Services

Measures to prevent violence within the family – in particular due to the substantiation of child protection in § 8a para. 1 Social Code Book VIII, which provides for the granting of aid for the prevention of endangerment – primarily include assistance for parents and children. These are based on the voluntary acceptance of assistance by affected parents and thus take the form of an offer. *Assistance with Upbringing* is generally aimed at instructing parents in an appropriate manner and to support them in overcoming their child rearing tasks in a positive manner. This can, for example, take place within the frame of child rearing and family counselling or socio-educational family assistance. Within the context of child rearing and family counselling conflictual situations are discussed with the parents or the whole family and constructive solutions are worked out together. Socio-educational family assistance is carried out on an outreach basis in the home environment of the family. In this way the family is supported, aside from questions of upbringing, to overcome everyday problems.

Child-related assistance, such as, for example, individual, group or special educational assistance and therapeutic programmes are focused on the individual support or treatment needs of a child or young person and are intended to balance out developmental damage and strengthen psychosocial and cognitive skills. It is best to select and implement the assistance in collaboration with the parents and children and should be designed to match their resources and living environment.

If parents are not prepared or in a position to assist with the assessment of the endangerment risk, prevent the dangers to the child's welfare, accept the help offered to them or change their upbringing or relational behaviours, professionals from the child and youth services take steps through the family courts to ensure measures are taken, to guarantee the safety and welfare of the child⁶¹. The services offered in line with the Social Code Book VIII are performed by public and independent providers of youth assistance – such as, for example, associations or initiatives – in cities or rural districts. The legislature wishes for there to be a multiplicity of providers with varying focuses and a plurality of content, methods and ways of working⁶².

One should note in criticism, however, that the effectiveness of assistance implemented where there is suspicion of violence or where interfamilial violence has taken place against children in the German welfare system has not yet

61 see § 8a para. 3 clause 1 Social Code Book VIII

62 see § 3 para. 1 and 2 Social Code Book VIII

been systematically evaluated. The evaluation of the effectiveness of available instruments of assistance would be of great importance for the design of specific and resource-sensitive assistance both for the affected children and their families, for professionals, and not least the economic management of the child and youth services (► 2.1.1.5 “Further Development and Conclusions”).

Specific strategies for early recognition and for preventative assistance

In many local authorities and on a regional level, distinct activities towards a renewed early and preventative provision of assistance are evident.

Most of these *approaches are arranged selectively*, that is, the provision of aid proceeds from a process, which attempts to recognise the target group of families who have a raised risk of maltreatment and neglect. Schemes and concepts, which are not aimed at one particular target group, but instead, for instance, offer support for all families with new born children, are on the contrary directed in *universally*.

The target areas of these projects are varied (► Overview 1). They are often rather heterogeneous and multidimensional in their fostering of the cognitive development or physical care of the child, even if certain individual programmes concentrate on particular aspects, such as, for example improved child-rearing skills, positive parent-child-interaction or the specific prevention of abuse, maltreatment or neglect. Nonetheless, these programmes also generally focus on broader aims⁶³.

Overview 1: Target Areas

- Physical care of the child
- Cognitive support of the child
- Positive parent-child-interaction
(Establishing of protective mechanisms, e.g. fostering of attachment)
- Child rearing skills
- Specific prevention (in particular in the area of sexual abuse)
- Multi-dimensional target areas

Early warning systems, which focus on a target group with particular risk factors, presuppose a systematic recognition of relevant risk factors on the basis of the most comprehensive access to the population. The aim is to recognise signs of endangerment as early as possible and to estimate their severity in order to be able to offer adequate assistance. In order to be able to test the acceptance and suitability of the assistance provided, one needs to distinguish between two strategies: a guaranteed institutional supervision, on the one hand, and, on the other, personal contact. The institutional monitoring of risk is rather based on

63 cf. Sweet /Appelbaum 2004

the continuous assistance and support of the families by an institution especially established for this purpose, while a personal approach allocates the task of family assistance and support to particular carers assigned to a family in order to ensure the acceptance of the assistance offered. In respect of the assistance, one also needs to distinguish whether the programmes are working with lay people, (semi-) professional carers or professionals.

Early warning systems in the true sense are distinguished by the fact that they are made up of various co-ordinated components, and are thus differentiated on a structural level from *assistance and programmes*, which form the core around which the system orients itself.

Early assistance as such includes a very wide spectrum of support measures – from programmes aimed exclusively at parents and the strengthening of their parenting skills (simple parent schooling/parent trainings) right through to interaction and child-oriented approaches, which actively involve the children.

Further aspects of such approaches (► Overview 2) are described below. Programmes with a so-called *open door structure* require the family to visit a particular place as a rule (“centre-based”), in order to take part in the assistance on offer. Other provision can also be implemented in the form of outreach work (“home-visiting”) and makes use of a so-called “go-structure” (going to the family). Nonetheless the take-up of these programmes is dependent as a rule on the advertising of the assistance on offer. Systematic access to the potential target group can occur within the context of an early-warning system, for example, via the neonatal and child clinics in a specific region.

In respect of their *methodological orientation* one should single out programmes, which primarily convey parent-centred information and instruct parents educationally. In comparison concepts, which are based on a interactive observation, are intended to change parental behaviour by means of direct feedback. These are generally based on attachment theoretical approaches, which seek to improve parental sensitivity. Finally one should mention child-centred approaches, which in practice are seldom to be found in isolation but instead as a complement to parent or interaction-centred approaches. Overview 2 outlines the differing structural aspects of these strategies for prevention.

Overview 2: Aspects of Approaches to Prevention

- Primary / secondary prevention
- Universal / selective / very selective
- Open-door / home-visit initiatives
- Parent-centred / child-centred / interaction-centred
- Focused on the social environment, focused on the living conditions
- Reflective approach to sexual relations
- Modular / multi-modular
- One-dimensional / multi-dimensional methodological character, etc.

2.1.1.4 Overlapping political strategies

With a view to current political programmes and campaigns, the *Nationaler Aktionsplan "Für ein kindergerechtes Deutschland 2005-2010"* (National Action Plan "Towards a Germany appropriate for children 2005–2010"), which was passed by the Federal Government in 2005 within the framework of the UN-Convention on the Rights of the Child, is being implemented on a federal level at present. The theme "Growing up without Violence" forms a focus of the Action Plan. Many of the measures described have preventative goals, such as the comprehensive introduction of family education programmes to foster violence-free child rearing, the support and evaluation of early preventative assistance, the development of assistance specific to target groups (e.g. for multiply-stressed families and immigrants, the training of professionals on the themes of early recognition and prevention, the development of educational modules for pupils on the theme of care and rearing of babies and small children and the development of training programmes for parents-to-be). The explicit anchoring of the theme of child neglect is to be welcomed in respect, for instance, of the formulating of the need for research. In that, the action plan takes an important step in the direction of neglect, itself neglected⁶⁴ to bring to appropriate attention the extent and the often serious consequences of neglect. Even if the measures formulated may be considered very positively, the Action Plan must not be allowed to hide the fact that many areas of child protection are currently obliged to live with severe financial losses.

In the *Coalition Agreement* of November 2005 the coalition parties took up the theme of the early support of vulnerable children. Within the frame of the focus on "Early Help for Parents and Children and Social Early Warning Systems", it is planned to develop early warning systems and the provision of early assistance by dovetailing health-related services, the services of the child and youth services and the involvement of civil society. By means of so-called "home-visiting initiatives" access to particularly stressed families and their

64 cf. Deegener/Körner 2005b

children is actively being sought. In this way, a focus is being placed on the period of pregnancy and the phase around the birth, since young women in this phase of their lives generally make use of medical services and are especially accessible via social advice provision. The goal is to strengthen the protective mandate of civil society and parental responsibility for child rearing. The federal state has made available up to ten million euros for the implementation of this programme until 2010. Nationwide it will initiate, support, supervise and evaluate different model programmes and establish a service office meant both to supervise the activities of regional and local authorities and to safeguard the transfer of experiences made.⁶⁵

2.1.1.5 The need for further development and conclusions related to child protection

Within the context of what has been described here it is possible to outline the general requirements relating to German child protection, in order to more effectively fight violence against children in all population groups. In order to reach particular target groups on a long-term basis, additional specific preconditions are necessary. They will be discussed in what follows. In conclusion we will point to the need for a research culture around German child protection issues and specific research tasks will be outlined.

Practice – general requirements

The fields of actions, described in the Coalition Agreement of November 2005 and the National Action Plan “Towards a Germany appropriate for children 2005 – 2010”, with the focus on “Growing up without Violence”, in respect of the protection and support of vulnerable children, are aimed at certain important requirements: the early recognition of risk and endangerment situations, the development and extension of early assistance, the systematic interweaving of the health care system and child and youth services, the training of professionals, etc. (► 2.1.1.4 “Political Strategies”).

The responsible and well-founded behaviour of professionals depends on their specialist and personal qualifications. One basis for this is appropriate specialist knowledge on the varying forms of child endangerment, on the well-founded assessment of risk and endangerment, and on the efficacy of assistance.

Against the background of the revision of Social Code Book VIII, in particular the specifications of the protective mandate in cases of child endangerment⁶⁶, there is now an increasing awareness of the need for appropriate expertise, and

65 Coalition Agreement between the CDU, CSU and SPD dated 11.11.2005, section VI: family-friendly society, 1: Better Infrastructure for Families, lines 4789 to 4817 and press release from the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth dated 26.April 2006: Better protection of children by means of early recognition and early assistance.

66 see § 8a

therefore opportunities grow for training, continuous professional development and further education. That should not cloud the fact that the knowledge base in certain institutions is still parlous, that the dissemination of knowledge is not always done in a professional manner and that in many places half truths are disseminated, which in isolated cases can be damaging. For instance, unqualified methods can decrease access to a family during an early evaluation of endangerment and thus hinder rather than support the implementing of appropriate assistance. Thus there is a need for proper, suitable training of professionals in all appropriate professional fields of (socio-)educational, psychological, therapeutic, medical, and in the arenas of the law and police provision.⁶⁷

Specialist and personal training and the implementation of *reliable, practical⁶⁸ evaluation procedures* go hand in hand. Deegener and Körner (2005b) et al. point to the necessity for standardised instruments for the evaluation of endangerment. The (further) development and dissemination of evaluation procedures, appropriate to the respective professional groups and fields of work are required.

The evaluation of situations of endangerment or the early recognition of risk constellations for neglect and maltreatment, in order to prevent violence against children at an early stage, is only of use, if numerous other aspects are taken into consideration at the same time: qualified professionals, who have won trusted access to the families affected and who manage to sensitise them to the value of professional support; appropriate forms of assistance; interdisciplinary co-operation and agreements between facilities and institutions, etc.

In Germany there is an increase in early warning systems, which aim to identify risk-affected families and to support them. These should include a *systematic interweaving of modules* in the following areas: early recognition, measures for assistance, continuous supervision and procedural monitoring.

A systematic interweaving of modules should be the basis of all processes relating to assistance and would require binding *mono and multi-professional guidelines for co-operation⁶⁹, unambiguously regulated information pathways and responsibilities⁶⁷* as well as systematic networking structures in practice and in the policies adopted by the child and youth services, and the health and educational systems.

With respect to the question as to which forms of assistance should be implemented, there is a need on the part of professionals, who make decisions in collaboration with families as regards the type of assistance to be employed, not only for appropriate *knowledge about the efficacy of assistance*, but also for *suitable*

67 see *Ulmer Aufruf zum Kinderschutz 2006*, available at www.uni-ulm.de/klinik/kjp/UlmerAufrufzumKinderschutz.pdf

68 Procedures which are too time-consuming, lasting many hours, are not appropriate in respect of the time resources of many professionals.

69 see Fürniss 2005

available provision. If they are lacking or if inappropriate measures are taken for financial reasons or because of a lack of knowledge, then an ensuing chain of ineffective assistance is a potential consequence (see below). The negative effects burden the families and also the financial resources of local authorities. Massive financial cut backs in the arena of regulatory assistance in line with Social Code Book VIII could prove costly in the long term and cannot be balanced out by the support given to one or two (model) projects.

Practice – particular requirements in the collaborative work with families who have high levels of psychosocially stress and neglect or violence problems

Particular requirements for the prevention are needed where children are growing up in families with high levels of psychosocial stress⁷⁰ and structures of violence and neglect stretch back through many generations of the family. Conflict-laden patterns of interaction, unstable relationships and frequent break-downs of relationships keep repeating themselves⁷¹. These experiences can re-inscribe themselves into the system of assistance as well and become entrenched, if there is a lack of suitable forms of intervention, inadequate forms of assistance fail and staff are insufficiently trained. The implementing of assistance becomes difficult when parents do not show sufficient perceptual and reflective ability in relation to the precarious situation of their child, do not recognise the need for assistance or deny it⁷². Moreover their ambivalent feelings towards social institutions can make access more difficult, if, on the one hand, they are again and again or permanently dependent on social support and dependency exists, and, on the other hand, lack trust in any contact from this quarter and fear scrutiny⁷³. On the part of the system of assistance, the overloading of national and private institutions, unclear responsibilities and a lack of communication and co-operation may result in the thwarting of on-going accessibility⁷⁴. The effects of less obvious forms of violence against children, such as the emotional and cognitive neglect, are often also underestimated. Intervention only occurs when children come to notice as a result of secondary problems.

Preconditions for sustainable accessibility

The *Kinderschutz-Zentren* (child protection centres) (2006) justifiably criticise the fact, that public debate does not sufficiently take into account, the degree to

70 Families, who are exposed to numerous stressors, including chronic relationship problems, psychiatrically abnormal family members, rejecting inconsistent relational patterns, marked feelings of stress, financial problems and unfavourable housing situations, etc., cf. research overview by Snell-Johns et al. 2004

71 cf. Fonagy et al. 1991, 1995, 2003

72 cf. Zenz 2002

73 cf. Schone 2002

74 cf. Kinderschutz-Zentrum Berlin 2000

which families, where child welfare is endangered, are burdened.⁷⁵ Short term, sporadic assistance is insufficient. Families with a high level of psychosocial stress require *longer term, continuous supervision*, which fosters and stabilises positive developmental processes while taking into account the respective current situation relating to their requirements and resources⁷⁶. Thus supervision based only on crisis management is not sufficient due to the limited capabilities of parents to evaluate crises as well as their extent. Particularly in the case of newborns and small children life-threatening situations may occur which are not recognised as such in time by the parents. Long-term beneficial effects of assistance are then lacking⁷⁶. Since children are often neglected and maltreated from birth, it is important to *extend* the area of early recognition and *early assistance*, which orients itself to the special needs of the target group. *Outreach work, forms of assistance that relate to the social environment* are thus suitable for the collaboration with families with high levels of psychosocial stress⁷⁷, especially where they are components of a *multi-dimensional, fitting, flexible and well-coordinated arrangement for assistance* (support for positive parent-child-interaction and parental care and child rearing abilities as the central components⁷⁸, practical support every day, etc.⁷⁹).

First conceptual designs in the field of early warning systems link systematic modules concerning the early recognition of risks and endangerment, assistance and continual, long-term supervision. Thus they also take into account the needs of families with high levels of psychosocial stress. A glance at the situation as a whole in Germany demonstrates, however, that to date there are barely any specific, comprehensive approaches available which would address the needs of this target group.

Moreover, account is often not taken in practice – due to a lack of knowledge and appropriate provision and financial resources – of the fact that sustainable accessibility of families with risk constellations requires *considerable specialist knowledge*⁸⁰. Professionals must have methods which are well-founded and they must be well-qualified themselves. Further they should be very well-versed with the special living circumstances and relational dynamics of families.⁸¹ Longer-term collaboration with parents depends on whether they are successful at building up a sustainable, trustful relationship with the family, despite all the set-backs and ruptures.⁸²

75 Statement of the child protection centres, “*Fachleute melden sich zu Wort*” on the occasion of the specialist conference, “*Hilfeprozess im Konflikt / Handlungskompetenz der Jugendhilfe bei Kindeswohlgefährdung*”, press release of 22.02.2006.

76 cf. Crittenden 2004, 2005

77 cf. Schefold 2004

78 see research report in Spangler 2003

79 cf. Henggeler et al. 1996; for a research overview, see Snell-Johns et al. 2004

80 cf. Daro et al. 2005, Geeraert et al. 2004, Layzer et al. 2001

81 cf. Zenz 2002

82 cf. Henseler 2002

Furthermore one should be mindful of the fact that a long-term intensive supervision of a family requires corresponding *resources of personal involvement, time and thus finance*.

Practice – particular requirements for the collaboration with families from an immigrant background

Several approaches target violence prevention in families with an immigrant background. The main requirement exists in the *expansion and (further) development of programmes*, such as culture-specific courses for parents or provision in the field of early support. In the area of *training and continued professional development and further education* (socio-)educational, psychological, therapeutic, medical and legal professional groups should increasingly include the themes of immigration and its attendant challenges for collaborative work with immigrants in their curricula. Aside from linguistic skills professionals require specific knowledge and a basis for understanding of cultural and religious differences, and knowledge of the characteristics of professionally skilled collaboration with families, as well as special capabilities to act⁸³. Moreover the increased employment of professionals from corresponding ethnic backgrounds is to be desired.

Research

The *Ulmer Aufruf zum Kinderschutz* (2006) criticises the lack of a research culture beyond the individual initiatives and model projects taking place within the frame of German Youth Protection. Thus the requirement for research is correspondingly broad and will be formulated in the form of examples and in bullet point form below:

- (Basic) research, particularly longitudinal and interdisciplinary studies on all forms of violence against children, particularly on child neglect⁸⁴ and psychological maltreatment.
- The development and evaluation of standardised instruments for the evaluation of endangerment for various fields of work.
- Investigations by means of which cases of endangerment can reliably be identified, further neglect and maltreatment can be prevented and positive development can be fostered in affected children.
- Comparative statistics on cases of child protection and systematic case-study based analyses of institutional failings in respect of child protection.
- Research on the benefits of the state-organised child protection system and the efficacy of measures taken by child and youth services.

83 cf. Wendler 2005

84 National Action Plan "Towards a Germany appropriate for children 2005–2010"

- Investigations on the accessibility of families with high levels of psychosocial stress.

2.1.1.6 Summary

It should be said at the outset that the varied world of practice often carries out highly skilled and valuable work in specific cases. There is, however, a requirement for the further development and expansion of child protection in the regulation of suitable training for professionals and in the standardisation of procedures, such as the interweaving of varying modules on the evaluation of endangerment, assistance measures, and continuous supervision and procedural monitoring. This should be based on mono and multi-professional guidelines for co-operation. There is a lack of not only systematised continuous supervision of families with high levels of psychosocial stress, but within the frame of supervision procedures there is also barely any adequate (early) assistance available. If unsuitable assistance fails, the negative consequences burden the families and thus the financial resources of local authorities. In this respect the development of a research culture is urgently needed in order to be able to implement limited resources effectively, but above all, to be able effectively to support families.

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2.1.2 Strategies for the Prevention of Endangerment of Children's Welfare in Situations of Violence between Partners

Many girls and boys experience violence within the family. This includes not only physical and sexually motivated violence directed against them, but also domestic violence, usually on the father's part and directed against the mother. Only in recent years has it been realised that children and young people are exposed to a wide range of stress factors associated with domestic and inter-partner violence.

In spite of statutory provisions such as the *Platzverweis* (exclusion order) and *Gewaltschutzgesetz* (Protection from Violence Act), it continues to be necessary for some of these children and young people to escape with their mothers to the homes of relatives or a women's refuge, consequently changing to a new nursery or school. For others, escape from the family situation means quitting the family themselves. Even when the family situation has outwardly become less tense, some children are still – perhaps as a result of long-running disputes over contact and caring rights – confronted with violence during the father's access periods, in nightmares, or in suddenly returning memories. They suffer from fear, disruption of sleep and of concentration, or have learnt that violence is a means of getting one's own way.

Avoidance of domestic violence is very important for two reasons: first, in order to protect girls and boys from imposed stresses and from development impairment; and second, to avert the reproduction of violence suffered in the form of violence perpetrated, whether directed against the self, against age peers, or against a partner later in life.

2.1.2.1 Violence between partners: prevalence and forms taken

A present-day prevalence study concludes that one woman in four experiences physical and/or sexual violence at the hands of her partner⁸⁵. Of these women, 31% had experienced one act of violence, 36% reported two to ten situations, and 33% named ten to 40 situations involving violence. For 64% of those affected, the violence resulted in injury. Police criminal records and data collected in the context of the so-called *Platzverweis* likewise illustrate the stresses to which women are subjected by violence on the part of husband or partner, both during the relationship and during and after the separation process⁸⁶. A number of different studies indicate that about 25% of men state that they

85 cf. BMFSFJ 2004

86 cf. Steffen 2005

have suffered violence at the hands of a female partner. However, the violence in question was much more frequently a case of minor acts of violence, which seldom cause injury. Moreover, scarcely any men report feeling afraid of their (female) partner.

Johnson (2005; cf. also Johnson/Leone 2005) distinguishes on the basis of North American prevalence studies between “situational couple violence” – a frequently occurring and largely non-gender-linked violence pattern associated with conflicts, which usually involves only minor stresses for those affected – and “intimate terrorism”. Often, though not always, this latter pattern of violence forms part of an escalating spiral of violence; it leads in most cases to substantial adverse consequences in various areas of life, and it is predominantly practised by men⁸⁷. The meaning of the term “intimate terrorism” overlaps substantially with that of “domestic violence”. With reference to Germany, Helfferich and Kavemann (2004) show from the woman’s perspective the great diversity of forms in which violence is encountered, the equally great diversity of women’s reactions to violence, and the need for a corresponding degree of diversification in support provision.

Children living in the couple’s household are affected, primarily in the sense of Johnson’s “intimate terrorism”, by violence amounting to systematic controlling behaviour in the context of an abusive relationship. Domestic violence impacts both directly and indirectly on the couple’s sons and daughters, and often occurs alongside direct acts of violence against the child. In a study conducted by the Lower Saxony Institute for Criminological Research, 21.3% of 16- to 29-year-olds surveyed (N=1067) stated that they had been confronted with parental inter-partner violence⁸⁸. 3.7% had been present when one parent injured the other, using a weapon⁸⁹. Those who repeatedly witnessed violence were abused eight times more frequently by their fathers and mothers than those who grew up without parental inter-partner violence. The risk of sexual abuse also increases⁹⁰.

The direct effects of domestic violence on children include conception in the course of rape⁹¹, pregnancy complications and miscarriage caused by abuse during pregnancy⁹², and injuries resulting from blows aimed at the mother when children are close by. A special danger to children lies in the eventuality of an escalation of violence, up to and including actual killings, when separation takes place or is intended. The children themselves may be injured or killed; they may lose their mother or both parents⁹³. Indirect consequences

87 cf. Johnson 1995; Piispa et al., 2002

88 cf. Wetzels 1997

89 cf. Pfeiffer/Wetzels 1997

90 cf. Hammer 1989; Farmer/Owen 1995; cited in Kavemann 2000 and Kindler 2003

91 cf. Heynen 2003

92 cf. Campbell, Garcia-Moreno/Sharps 2004

93 cf. Heynen 2005

arise from growing up in an atmosphere of violence and inflicted humiliation, which may also involve neglect, overburdening, and social disadvantage⁹⁴.

Repeated witnessing of serious violence – particularly in conjunction with violence suffered personally – results in substantial age-dependent harm to the physical, emotional, cognitive and social development of children affected. Stress-inducing factors such as alcohol dependency or mental illness in a parent, and risk factors such as poverty and cramped living conditions, increase the likelihood of further problems⁹⁵. These in turn may give rise to conflicts at day-care centres and at school⁹⁶. Studies – by the Institute for Criminological Research, for example, also the *Hallenser Gewaltstudie* (Halle Study of Violence) – have shown that domestic violence may constitute the background to violence and offending, particularly among boys⁹⁷. There is a strong link between the witnessing of inter-parental violence and later active commission of violent acts in pair relationships where the violence is a component in systematic controlling behaviour.

2.1.2.2 Special features of this field and the legislative context

The problems posed by intra-familial violence both to the immediate social environment and to institutions such as counselling centres, youth offices and the police service are of a special nature in that the violence occurs within the private domain rather than in public. This applies with particular force to interventions prompted by violence between partners: the concern here is to mould not only parent-child relationships, but the parents' own reciprocal relationship.

For children affected by domestic violence, legislative changes are important. New provisions include further-reaching availability of protection for children and young people, in response to changed social norms. The relevant legislation includes the *Polizeigesetz der Bundesländer zur Wegweisung beziehungsweise zum Platzverweis der gewalttätigen Person* (each German Federal State's Police Act covering non-molestation and exclusion orders served on persons committing offences of violence), the *Gewaltschutzgesetz* (Protection from Violence Act), which inter alia confers powers to determine place of abode, and the *Kinderrechteverbesserungsgesetz* (Improvement of Children's Rights Act)⁹⁸: “(1) Measures involving separation of the child from the parental family are lawful only in so far as the risk cannot be covered by other means, including public resources. This provision still applies when a parent is to be temporarily or indefinitely

94 cf. Heynen 2001

95 cf. Laucht et al. 2000; Meyer- Probst/Reis 1999

96 cf. inter alia Kavemann 2000; Kindler 2002

97 cf. Bannenberg/Rössner n.d.

98 see KindRVerbG; § 1666a BGB (German Civil Code)

debarred from using the family home.” Further improvements may be expected as a consequence of legislation to combat “stalking” and forced marriages.

2.1.2.3 Prevention strategies

In addition to the legislative strategies noted above, there have been other significant improvements over the last few years with regard to the combating of threats to children’s welfare arising in connection with domestic violence. Cooperation models at local authority level and specific programmes have led to more precisely targeted forms of prevention and intervention. A parallel heightening of public, media and political awareness of the problem has contributed to the present more serious view taken of violence in the immediate social environment.

In terms of social intervention approaches at local authority level, the following can be broadly identified as the principal networked players, with their respective specific areas of responsibility:

- Police service and *Ordnungsamt* (public order office): protection against violence, *Platzverweis* (exclusion order) and liaison with the youth office, right of residence),
- Justice system: prosecution service),
- *Frauenbeauftragte* (women’s rights representatives): networking and public relations,
- Intervention centres, women’s refuges and advice bureaux: protection and support for women and their children,
- Counselling for men: social training courses, individual counselling,
- Child and youth services: support in upbringing, protection duty under Social Code Book VIII, § 8a.

If one assumes – for example – that a *Platzverweis* has been served, it will be the responsibility of the youth office, on receipt of faxed information to that effect from the police, to assess the threat to child welfare potentially arising from the witnessing of violence, to arrange for continuing support as needed, and to initiate family court proceedings in the event of parents refusing such support in spite of substantial need. Centres for psychological counselling, also independent providers, offer counselling and support on an individual basis in connection with domestic violence. Child and youth welfare providers, perhaps in the context of their duties under Social Code Book VIII⁹⁹ will concern themselves with stresses suffered by children as a consequence of domestic violence¹⁰⁰

99 e.g. *Sozialpädagogische Familienhilfe* (family support through social education), *Soziale Gruppenarbeit* (social work with groups) or *Stationäre Jugendhilfe* (residential child and youth services)

100 cf. Ch. 2.3.

The following paragraphs describe approaches that show some preventive effect when used on an intervention basis and are being implemented in at least some local authority areas.¹⁰¹ The descriptions are complemented by a listing of current gaps, in order to highlight the fact that a truly effective strategy will combine a number of different elements and will systematically implement all of them.

Non-specific prevention strategies for inter-partner violence

The main strategic approaches to protection of children and young people from encountering domestic violence are based on broad social context, immediate social environment, and public perception. These factors influence the parents' behaviour and willingness to seek support and to change their behaviour.

Long considered to be a private matter, and treated accordingly, domestic violence has become a topic of central concern to society. It is no longer widely disputed that the social conditions imposed by, for example, media, politics and local government, the economy, culture and science have an important bearing on the behaviour of men and women. Favourable economic conditions, reasonable job prospects, and daytime courses and childminding available on the doorstep may well bring forward the decision to separate from a violent partner. Leaving aside the question of what is happening to society as a whole, it is of great importance that institutions not at first sight closely involved in dealing with domestic violence should nevertheless be kept informed, so that practical solutions – a place in a daycare centre for school-age children, for instance – can be located at relatively short notice.

Whether women will actually be able to make use of such opportunities as present themselves, or not, depends generally on what support programmes are available, for instance in terms of immediate social environment or women's counselling centres. The structural aspect of prevention thus requires an infrastructure able to help persons affected by violence with their individual needs and to strengthen their personal support network.

Further important building blocks are education of the population at large about domestic violence – e.g. through the outreach work of the participating institutions – and media coverage. Press conferences, special events, posters, pamphlets and leaflets advising on legislative changes, stress-inducing factors, support programmes and the uses and limits of intervention all contribute to an ongoing process of establishing norms, ensuring publicity for support programmes and encouraging the immediate social environment to make a stand against violence. An important element is the focusing of attention on

101 For detailed descriptions of a number of different approaches see Handbuch *Kinder und häusliche Gewalt*, edited by Barbara Kavemann and Ulrike Kreyssig (2005), also Kindler/Unterstaller (2005).

the role played by misogynist attitudes and by pretexts legitimising violence in the perpetuation of the practice of domestic violence.

A particular problem is posed by the dissemination in the media of relationship stereotypes and distorted accounts of support measures such as the work of the youth offices, and the trivialisation and justification of violence in violent films and computer games. A tendency to relativise violence can also be observed in connection with unlawful killings in which the victims are women and children in a context of domestic violence. These offences are perceived in the public arena as family dramas, not murder – not even when the crime has been the perpetrator's declared intent and rationally planned¹⁰². The consequences for the perpetrators are not reported.

Little is yet known about the influence that may be exerted by foreign-language media serving ethnic minorities as an information source.

Prevention strategies targeting specific groups

Improvements have been achieved through programmes aimed directly at persons affected by violence, although they have not been universally implemented, and in many cases do not enjoy secure funding.

Direct victims of domestic violence, i.e. generally women and in many cases mothers, can have recourse in many local authority areas to a women's refuge, women's counselling centre, or even an intervention centre, each of which will offer individual assistance. A start has been made on devising ways to cater for the different counselling needs of different women¹⁰³, also to help them in their role as mothers¹⁰⁴. This means that, for instance, children of mothers opting against legal separation from a violent partner will be entitled to professional support.

With regard to altering the violent behaviour of men, accumulated experience of the efficacy of social training courses and individual counselling is now on record. Questions that still remain relatively open are how the topic of fatherhood can be constructively integrated into the work¹⁰⁵, and how access to existing programmes might be improved – possibly by way of *Anflagen* (court orders). In view of the risk that violence may escalate during the separation process, to the point of causing a death, increasing use is being made – e.g. in the city of Unna and in the federal state of Baden-Württemberg – of the strategy known as the *Gefährderansprache* (warnings to potential offenders)¹⁰⁶.

102 cf. Heynen 2005

103 cf. Helfferich/Kavemann 2004

104 cf. e.g. Heynen 2006

105 cf. also Liel 2005; Hafner 2005

106 cf. Stürmer 2005a, 2005b

For many years scant attention was paid to the situation of children concerned; however, domestic violence is now an important criterion for determining the level of threat to a child's welfare. This topic has been featured in the guidance recommendations issued by the *Allgemeiner Sozialer Dienst* (General Social Services) and in standardised advice on how to proceed¹⁰⁷. So far, however, not all local authority areas have achieved satisfactory cooperation in the domestic violence field between the police service, the youth office, women's counselling centres and refuges, and institutions providing services for children and young people. There is also a need for provision achieved so far to be more finely tuned to needs, so that children and young people will have easier access to support programmes even if there has not been a *Platzverweis* (exclusion order) or a shared escape with the mother from home to a women's refuge.

With regard to longer-term support and prevention in the context of inter-partner violence, it has proved useful in dealing with children to provide not only individual counselling but, additionally, group programmes that take cognisance inter alia of gender considerations. Such programmes are offered both within the women's refuges¹⁰⁸ and independently of them¹⁰⁹. Experiences of domestic violence are also addressed in the context of group-work with violent youngsters¹¹⁰. Face-to-face work with children may use work materials developed for children (such as the little story-book "*Zu Hause bei Schulzes*" (At Home with the Schulze Family), AK "*Kinder und häusliche Gewalt*" (Children and Domestic Violence (2005), or the video Home Truths [Leeds Animation Workshop 1999]).

A strategy that has proved significant is to inform children, without involving the parents, about how to obtain support. Examples of this in practice are a website for children and young people¹¹¹ and an information sheet for children, which can support the explanation of a *Platzverweis* operation either at the time of the police visit or subsequently¹¹².

Strategies based on cooperation and networking

Domestic violence impinges on the work of a number of different institutions, in a multiplicity of different ways, while the institutions, for their part, bring radically differing perspectives to – and play disparate roles in – the campaign against violence. If the actions of different bodies are to run in a coordinated and effective manner, and overload in individual fields of work to be avoided, cooperation and networking are very important. This in turn implies familiarity

107 cf. e.g. Stadt Karlsruhe 2006, Reich/Jugendamt der Landeshauptstadt Stuttgart 2006, cf. also BIG e.V. 2005

108 cf. Dürmeyer/Maier 2006

109 cf. Gauly/Traub 2006

110 cf. Liel 2005

111 English website available: www.kidsinfo-gewalt.de/en

112 cf. Kinderbüro der Stadt Karlsruhe 2005

with the respective fields of work and competences, reciprocal professional esteem, and frank dialogue and appropriate decision-making authority on the part of all individuals concerned¹¹³.

Long-standing cooperations can be assessed by their results, which vary from one local authority area to another. Generally speaking there are positive developments in cooperation between police, women's refuge and counselling providers, men's counselling and youth services, as the direct follow-up to a *Platzverweis*. Jointly produced information booklets on *Platzverweis* and the law relating to protection from violence outline the legal basis for intervention and the procedures followed by the various institutions concerned. Guidance notes on the subject of imperilling children's welfare detail the responsibilities and working procedures of individual youth offices and the *Allgemeiner Sozialer Dienst* (General Social Services), and liaison arrangements with other institutions. Information systems facilitate direct access to victims and offenders, and play a part in ensuring that single-institution action develops into an intervention chain. Thus, for instance, following a call to a domestic violence case, the police will advise the youth office by fax of any children living in the household. The practice of cooperation also leads to conferences and other types of further professional qualification, contributing to the development of support programmes initiated outside the institutions that are directly involved.

Institutionalised and well-established forms of cooperation serving to promote review and appraisal of professional practice and the further development of procedural sequences and the related networking are contributing to ongoing improvement of intervention practice.

It is important that existing cooperative relationships should be steadily deepened and transparency constantly re-established for the benefit of new colleagues. Further cooperation partners such as public and private health services providers – here in particular hospitals with casualty departments, also the fields of gynaecology, general medicine, paediatrics and psychiatry – should be brought on board. Efforts are in progress to find ways to cooperate with child day-care centres¹¹⁴ and schools. Schools in particular are of great importance in connection with violence prevention and establishing contact with girls and boys severely traumatised by violence. Building on the start made with an exhibition of pictures by children illustrating the topic of domestic violence – put on display at police headquarters in Karlsruhe in 2005, and elsewhere – material is being accumulated with a view to facilitating treatment of the subject in schools. In Berlin schools, a new domestic violence prevention project is currently being launched by the Berlin *Interventionszentrale bei häuslicher Gewalt*

113 cf. Kavemann 2004

114 cf. Borris 2005

(Domestic Violence Intervention Centre), in cooperation with the child and youth services¹¹⁵.

2.1.2.4 Future prospects and challenges

The whole field of professional engagement with domestic violence, including associated endeavours in relation to the protection and support of children affected by violence, has built up a very considerable momentum over the course of the last few years. In spite of progress made, however, much remains to be achieved.

It seems important that the field should admit greater specialisation of approach. Violence between partners has manifold forms; those affected are endangered by it in different ways and respond to it in different ways. The support system has to be capable of meeting the needs of women, men, children and young people appropriately, making use of new access channels and outreach programmes.

Progress in this direction must be underpinned by intensification of research in Germany into the different forms of violence within relationships and the effect they have on the children involved. There is no other way to identify specific singularities, assess the efficacy of initiatives, and make appropriate qualifications available to the field's professional workers.

It remains a major objective to secure the maximum possible unhindered take-up of the support. That means overcoming language problems, ignorance of the relevant infrastructure, and mobility limitations – points of particular relevance for the population sectors most affected by violence, and for people with a minority ethnic background. So-called “outreach” and “proactive” approaches should be developed further, with a view to reaching all affected children, young people, mothers and fathers.

Certain new problems have emerged as a result of changed procedures in cases of separation and divorce, prompted by the so-called *Cochem Model* and the *Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit* (Act governing conduct of family proceedings and proceedings within the “voluntary justice” system; [Fam-FG]). Under Fam-FG § 156 (efforts to reach agreed settlement), parents are to be motivated to seek an agreed settlement and where appropriate to make use of counselling provision. Here the major challenge arises of identifying families in which, in the context of a history of abuse, there is a risk during the period of the separation process of an escalation of violence and a continuing threat to the victims of the violence. If the relationship between the parents is characterised by control and violence, the first concern has to be the immediate protection of the victims of vio-

115 available at www.big-interventionszentrale.de/mitteilungen/archiv.htm

lence¹¹⁶. A risk prognosis based on detailed analysis, an assessment of parenting competence¹¹⁷ and outreach programmes, including for the violent person, are important strategies. Only by these means will it be possible to establish whether a basis exists for contact, of a kind that will benefit the child's development, between the (past) violent offender and his son or daughter¹¹⁸. Where it is not possible to ensure protection from violence and stabilisation of those affected by violence, contact between a violent father and his children should be made conditional on his acceptance of counselling and acquisition of parenting competence¹¹⁹.

A matter of great importance is the improvement of cooperation between the participating institutions on the one hand, particularly the youth offices, and the judicial system, here most particularly the family courts, on the other. This applies also with regard to the involvement of the youth office in decisions made under the Protection from Violence Act when there are children living in the household, and to the increased use of conditional discharges by the prosecution service and the courts¹²⁰.

Like child abuse and child neglect, domestic violence is a problem of importance to everyone and one that can only be tackled by combined action on the part of all parties involved. That does not mean professionals alone: family members, neighbours, work colleagues, friends and acquaintances all have a duty to play their part in protection of children and of young victims of violence. It follows that over the longer term cooperation should be extended beyond the institutions mentioned in the foregoing discussion, and should be linked to other forms of violence prevention. There is an important role here for employers, church congregations and groups, ethnic minority organisations, neighbourhood walk-in centres, and clubs and societies.

A great deal of effort is being put into safeguarding the ground that has been won. Wherever initiatives have to be funded from project grants, the application formalities and documentation consume professional time that could otherwise be devoted directly to the work of prevention and intervention. In the light of the mass of accumulated evidence now linking domestic violence both with developmental problems in childhood and with violence extending over generations – with all the associated secondary costs that that brings – it is time to stop using project grants to fund proven strategies. They must now be replaced by guaranteed long-term funding of programmes for children, and for victims of violence and perpetrators of violence.

116 on this point, cf. the action guidelines "*Begleiteter Umgang bei häuslicher Gewalt*" (supervised contact in cases of domestic violence), BIG 2002

117 cf. Hafner 2005

118 endangering a child's welfare, esp. in the sense of § 8a, Social Code Book VIII, versus *Kindschaftsrecht* (parent-child law)

119 cf. Hafner 2005

120 cf. Hafner 2005

Prevention, including prevention of violence committed by children and young people, demands that measures should be taken in consensus, and that all individuals affected by violence should receive support appropriate to their needs. A lasting effect will not be achieved by individual measures, but requires coordinated bundles of different strategies all targeting the common goal of minimising the use of violence in relations between the sexes. Domestic violence poses enormous challenges to society. However, the record of recent years shows clearly that the effort and commitment are worthwhile, and that many positive developments may lead to greater freedom from violence.

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2.2 Violence Prevention Strategies in the Field of Child Day-Care Centres

2.2.1 The field of action of day-care centres for children and forms of “violence”

In recent years, “things have started moving” in the field of child day-care supervision.¹²¹ This applies both to quantitative development as well as to efforts for improving quality. The growth in public awareness about the preventive and compensatory significance of early support and education for children is expressed in slogans such as “Everything depends on the start” and “Invest early instead of making good later on”.

2.2.1.1 Differentiation and specific features of the field

Age groups in day-care centres

In Germany, about 55% of all children of the age group up to six years of age are supervised outside the family in a publicly funded institution.¹²² The availability of places shows considerable regional and Länder-specific differences as well as a marked East-West gap. However, day-care centres for the age group of four- to six-year-olds are accessed overall by 90% of families. Parents with an ethnic background and low income use the service less.¹²³

The age group under supervision in day-care centres is changing and is becoming younger overall. Places becoming available due to the falling birth rate are increasingly held for one- and two-year-old children, the age at which children start school is earlier, and the availability of all-day schools leads to the reduction of places in day-centres for school children. In the medium term, therefore, day-care centres could evolve into service for one- to five-year-olds. The glaring shortage of supervision places in the western federal states of Germany for children under the age of three years is to be alleviated during the years ahead by increasing the quota of supervision places from currently 8.6%¹²⁴ to an average of 20% in 2010.¹²⁵

Contrary to the outmoded conceptual as well as administrative and institutional separation of places of education, there are currently definite trends for more closely integrating developments in the fields of work of child day-care centres

121 see Deutsches Jugendinstitut 2005: 9

122 see Bien 2005: 3

123 see Deutscher Bundestag 2005: 195

124 see Deutsches Jugendinstitut 2005: 48

125 see Deutscher Bundestag 2005: 198

and primary schools. This is evident in the education curricula of the federal states, in curricular and cooperative approaches, as well as in efforts to introduce more academic training for the profession of child care workers. Therefore with regard to children's consistent educational and developmental trajectories, it seems hardly sensible in the long run to discuss strategies of violence prevention divided by educational institutions, especially given the many common issues that emerge in the development phases of early and middle childhood.

Institutional forms of day-care supervision

The heterogeneous structure of day-care centre providers is reflected in a multiplicity of institutional forms and educational concepts. This heterogeneity means that day-care supervision involves very different experiences for a child, depending on whether, for instance, the child only stays at the centre on some mornings or up to ten hours a day, whether he or she attends a single-group parent's initiative or a centre for all ages with 250 other children, whether he or she was already supervised as a toddler or only from the age of five years, and so forth. The educational quality of nursery school provision has a proven differential influence on child development, especially for coping with situations in life, language development, and social skills.¹²⁶ At the same time only about one third of centres fulfils the requirements of good process quality (see Tietze 1998: 351). In the years ahead, the structure and process quality of institutional supervision, education, and child rearing of children under three years will require particular attention. The objective of a rapid increase in the number of places is presently disproportionate to the necessary investment in the qualification of education professionals, the facilities, as well as conceptual changes regarding the particular needs of this age group.

In future, *Tagespflege* (professional day care within a domestic sphere) will become more important for the supervision of children of the under-three age group. Due to its special features as a similar form of supervision to family care and due to the service's still mainly informal structure within a domestic sphere, *Tagespflege* is distinguished from child day-care centres and, with respect to violence prevention, merits analysis in its own right. The present difficulty of achieving an overview as well as the lack of empirical studies make it difficult to provide statements about the *Tagespflege*. The assumption is that the current shortcomings of this type of supervision – such as in many places the lack of monitoring *Tagespflege* workers' professional suitability, inadequate training and continued professional development, instability of day-care relationships¹²⁷ – could entail risks for the development of the children under supervision. Measures and projects for the orientation of *Tagespflege* according to specific

126 cf. Tietze 1998

127 see Deutscher Bundestag 2005: 185

quality criteria, associations of childminders, qualification, and networking, in particular with child day-care centres are important steps for the improvement and assurance of educational quality of this form of supervision.¹²⁸

Group forms and informal groupings of children

Institutional day-care supervision is group supervision. In the context of a wide variety of concepts, alongside the traditional nursery school group led by a child care worker (with varying child-to-carer ratios, and regulations about supply workers in the federal states) highly diverse forms have been established. These range from work across groups to completely “open” activities and project work, whereby each day children can choose the activities, rooms, and care worker.

Within the institutionally defined group forms and mix of age groups, everyday life is shaped according to a multiplicity of playgroups that are informal and predominantly initiated by the children themselves. Children of this age generally play in twos or threes and prefer same-age play partners, and as they get older also same-gender partners.

The role of supervising adults and the importance of peers

Nursery education theory oscillates within a set of tensions from children’s needs for attachment and autonomy. During their first years in life, children depend on the reliable care and a close emotional relationship to their parents or guardians. For the small child, adults fulfil the function of a “safe basis” for exploring his or her environment at their own initiative. Secure attachments are positively connected to the development of self-esteem and social and emotional skills, whereas highly unstable attachments at an early age are a factor predicting aggressive behaviour at pre-school age.¹²⁹ For their well-being, children, especially those under three years, need a secure attachment to a supervising adult at the day-care centre. Hence this transition already has preventive significance. Children who attend a crèche and who have a negative relationship with their mothers, fathers, or qualified child care workers, more frequently show insecure and aggressive behaviour. Additional risk factors are discontinuities in the supervision setting and the frequent change of supervising adults. From the viewpoint of the child’s welfare, here, a conflict arises between the child’s needs for attachment and reliability and the increasing flexibilisation of working hours for parents. For that reason, adjusting the opening hours and supervision times of day-care centres to the requirements of the working world cannot merely be one-sided; the quid pro quo in companies must be far-

128 cf. Tietze 2005; www.bertelsmann-stiftung.de; www.paedquis.de

129 cf. Ziegenhain 2003

reaching measures to balance family and professional life as, for example, by family-friendly working hours.

It is in day-care centres that most children, for the first time, spend longer periods away from their parents and in the company of other children. The child group is therefore an important social trial and testing ground: here, the child learns a sense of belonging, acknowledgement or rejection from his or her “peers”, and experiences dominance and subordination. At pre-school age, physical conflict resolution is appropriate for the age and level of development. In cases of conflict the children often turn to the qualified child care worker, since generally his or her authority is not called into question. The professionalism of the education professionals is evident insofar as each qualified child care worker maintains contact with each individual child as well as having a differentiated awareness of group processes, intervening in an appropriate manner for the situation and the level of development, and in doing so taking into account the children’s efforts to win attachment and autonomy.

2.2.1.2 The incidence of aggression, conflict, and “violence” at day-care centres

On the use of the term violence and manifestation forms of “violence”

If the increase in publications, continued professional development courses, and professional policy statements is an indicator, then “violence” became a topic of professional practice in the 1990s.¹³⁰ During this time the media have also used labels such as “nursery-school Rambo”¹³¹ in reports about an alleged increase in acts of aggression at nursery schools.

Previously, since the 1970s, the subject of conflict training had been at the forefront of the field of action. Training the ability to cope with conflict was not originally understood as a contribution to violence prevention, but to the democratisation of society and participation of children.¹³² Social learning since then has been a primary objective of nursery education. Since the 1990s publications on social and emotional training have frequently included the subtitle “a contribution to violence prevention”. Conversely, titles such as “education against violence” include suggestions for practice that in previous years would have been included in publications on social education.

In the informed debate the focus is not on massive violence or violence that is uncontrollable by professionals. Rather “violence” is a catch-all term for a wide range of socially undesirable behaviour, which is nevertheless typical for the age group, and also includes destructive patterns of behaviour that can hardly be appropriately managed in a conventional day-care centre. In this regard, the

130 cf. Dittrich et al. 1996

131 Kindergarten-Rambo, cf. Sommerfeld 1996

132 see Dittrich et al. 1996: 8

discussion focuses on cases of the assumed increase of “problem children” through changes in the way children are raised and social problems (“children as a poverty risk”), as well as so-called “new children’s illnesses” (for example, perception disorders, ADHS syndrome). Auto-aggressive ways of behaviour are also included in the manifestation forms of “violence”. Child care workers rarely mention these, though they are possibly given less attention than destructive behaviour within interactions.

According to statistics provided by the statutory accident insurers, in 2004, for every 1,000 children 3.4 so-called “accidents related to scuffles” occurred at day-care centres (these must be registered due to their treatment by a doctor), two-thirds of which occurred among children from the age of five years and upwards (by comparison: 4.9 accidents occurred in primary schools). Since their collection from 1990, the numbers have stagnated. 70% of those affected were boys (unpublished statistical material of accident insurers). Qualified child care workers also report in surveys that “violent” behaviour most frequently occurs with five- and six-year-old children and among boys. Opinions are divided among education professionals: 59% of those interviewed regard the incidence of “violent acts” at day-care centres as no or hardly a problem, while 41% regarded this as a severe problem.¹³³

The public and professional policy debate on violence almost exclusively focuses on the children’s behaviour. Links or interactions with institutional conditions – as forms of structural violence – are rarely reconstructed. Likewise, violence exerted by education professionals in the form of coercion, punishment, humiliation, or other humiliating practices is only noticed in extreme cases. The honest confrontation of “soft violence”, with which adults as more powerful individuals can coerce the good conduct of small children, requires willingness for self-reflection on the part of child care workers, and for employers to make available and implement regular periods for reflection (for supervision or advice). However, neither of these is currently standard in this field.

Interactionist or normative view of violence and aggression

Scarcely any publication omits to observe that aggression is part of a basic human disposition and can be constructive as well as destructive. The child’s active engagement with the world implies aggressive components from the moment of birth. For parents and qualified child care workers, self-assertion and assertiveness are key educative goals. Nevertheless, in the field of day-care centres, the term “aggressive” is primarily used to imply its negative connotation of deliberate harm.

133 quoted in Dittrich/Schneider 1996: 190

Normative studies classify ways of behaviour such as “kicking, hitting, biting, and boxing” as destructive, irrespective of the context. If qualified child care workers and the children are interviewed in this context about whether and how often this behaviour appears among the children, the outcome is high evidence of the use of violence.¹³⁴ “If you only measure the frequency of direct aggressive acts such as biting, stealing, and hitting, four-year-olds are the most aggressive population group!”¹³⁵.

In individualising explanatory models, these ways of behaviour are regarded as deficits of a “child offender” in relation to socially agreed norms¹³⁶. The professional role of the educationalist consists in communicating and implementing social norms such as, for example, verbal confrontations instead of physical conflict resolution.

In contrast, an interactionist viewpoint regards behaviour as part of a communicative process. The intentions and aims of those involved only become comprehensible in the context and course of interaction¹³⁷. Although all theories treat the exertion of power and harm caused to others as attributes of violence, the interactionist viewpoint poses the question about the motive and objective. Physical attacks, for instance, frequently occur among small children¹³⁸.

Developmental psychologists speak of “innocent aggression”¹³⁹ with which a small child explores the boundaries between the self and his or her environment. In interactive processes among children, the use of violence frequently stands for “failed negotiations”¹⁴⁰ between constructive intent and harmful actions. Interactionist models also differentiate between self-perception and perception of others in conflicts. Children often evaluate their violent confrontations differently from adults¹⁴¹.

The interactionist perspective corresponds with the further development of childhood research. Today, children are no longer regarded as objects of adults’ “socialisation messages”, but rather as subjects who construct their own reality in their interactions¹⁴². Interaction between children is seen as a process of negotiation with multifaceted signs and symbolic actions which are not always immediately accessible to adults. In the eyes of the children, mutual consent or an “aggressive balance” can even exist in the case of physical or verbal attacks¹⁴³. On the other hand, if childhood is primarily regarded as a

¹³⁴ cf. Rohrmann/Thoma 1997

¹³⁵ see www.sturzbecher.de/download-vortrag-081105-koeln.ppt

¹³⁶ cf. for example the picture book commissioned by the police for nursery schools entitled, “*Bobby, hör auf!*” (“Bobby, stop it!”) 1999

¹³⁷ cf. Dittrich et al. 2001; Sommerfeld 1996

¹³⁸ cf. Wüstenberg 1992

¹³⁹ cf. Hacker 1985

¹⁴⁰ cf. Krappmann 1994

¹⁴¹ cf. van Dieken 2004

¹⁴² see Dittrich et al. 2001: 26

¹⁴³ cf. Rohrmann/Thoma 1997

preliminary stage of adulthood, then physical conflict resolution models are merely immature and deficient ways of behaviour.

The increasing institutionalisation and educationalisation of childhood reduces the possibilities for an autonomous childhood. Yet children need a field of experimentation for communication among their peers in which they experience power and differences of interest and in which they can test out different strategies for action. “Violence” in child-to-child interaction can therefore not be pinned down to fixed ways of behaviour, but is rather related to the asymmetry of situations, which, for the party involved, implies no freedom of actions and experience¹⁴⁴. Again and again, acknowledging the children’s independent social world is a balancing act in the everyday routine of qualified child care workers at day-care centres, where they have to balance children’s needs and perspectives with the requirements of the institution and with parent’s expectations.

In the context of a theory of childhood, the use of the term “violence” to describe the behaviour of pre-school age children is problematic. This label neither does justice to the wide spectrum of behaviour summarised under it, nor is it suitable as a starting point for preventive strategies. The latter need a differentiated approach and an empirical research basis that makes available a broader data basis and explains the connections.

Causes of aggression and violence

The widespread assumption among education professionals that the causes of childhood disruptive behaviour are primarily to be attributed to the family environment is supported by numerous studies on the influence for personality development of the family atmosphere, parental rearing style, media consumption in the home etc. However, an analytical approach that takes into account multiple factors goes further and considers institutional conditions such as challenging situations of transition and separation, group sizes and constellations, unsuitable rooms and programmes, as well as the behaviour of qualified child care workers. The one-sided attribution of causes to the family is oriented towards the ideal of an “ordinary well-functioning family” and neglects the question of how day-care centres must change in order to do justice to children’s and families’ needs in highly diverse life circumstances.

The orientation of educative action towards the ideal of a “normal” child is equally problematic. This has a considerable influence – often unreflected, and implicitly in the sense of a “hidden curriculum” – on the daily routine, equipment, educational programmes, as well as the institution’s overall work. Everyday theories and discussions among education professionals about disruptive behaviour are frequently oriented towards a child’s presumed deficiencies in

144 cf. Dittrich et al. 2001

terms of unquestioned norms. Thus, a local survey of qualified child care works showed that they regarded more than half of the children, who were not fluent in German, as displaying behavioural problems¹⁴⁵. Education professionals perceive themselves rather as sufferers, yet hardly as co-active in the emergence of childhood behavioural problems. Nevertheless, there is also evidence that a lack of sensitivity for a child's individuality as well as the inability to cope with a multiplicity of norms and cultures can be a cause of behavioural problems, or at least stabilise them.

Violence prevention as part of the mandate of day-care centres

Child day-care centres have a public mandate to support every child in the development of his or her personality to act with personal responsibility, to be capable of living in a community, and to counteract disadvantages (Social Code Book VIII.). The social consensus, which has grown in recent decades, about the rights of children and the changing ideas about education are expressed in the *Gesetz zur Ächtung der Gewalt in der Erziehung* (Act Outlawing Violence in the Upbringing of Children)¹⁴⁶. On the one hand, this mandate has been structured and put into practice by the Criteria Catalogues on the Educational Quality of Child Day-Care Centres published in recent years¹⁴⁷ and, on the other hand, by the Education Programmes of the German Federal States for the elementary school sector. The prevention strategies outlined in the following sections essentially adopt the basic ideas of these works, especially as regards respect for children's individuality and self-learning processes, the significance of a challenging learning environment, as well as the cultivation of relationships that are supportive of development on the part of those professionals who work in the day-care centres.

2.2.2 Professional practice strategies for violence prevention

On the basis of the available data, no "violence issue" can be verified for child day-care centres. However, the perception of qualified child care workers is that childhood behavioural problems as well as parent's problems in rearing their children have substantially increased. The classification of both manifestation forms is allocated differently in terms of the social environment; moreover, it is highly subjective and partially questionable as to exactly what qualified child care workers understand by this. Due to the existing lack of research in the field of early childhood education and upbringing, such assessments can neither be confirmed nor refuted. However, it would be too simple to treat them merely as a distorted picture of reality which in fact gives cause for satisfaction. Rather in this regard, the examples frequently outlined suggest

145 cf. Ministerium, no year

146 cf. Bundesministerium 2003

147 cf. Tietze 2002/Preissing 2003

that increasing diversity within society and the increase in precarious living conditions are reflected in manifold ways in the everyday life of day-care centres; moreover, they have a threatening effect on education professionals because outdated concepts and modes of response can no longer be applied. To this extent, the statements made by qualified child care workers could be regarded as weak signals for developments, which could intensify, if no counter measures are implemented.

This field of action has gained special significance with regard to violence prevention due to the recognition that day-care centres offer children and families support, assistance, and back-up at a very early stage and thus can act as potential protective functions against the emergence of a propensity for violence. However, only good quality day-care contributes to the development of resilience. Thus, this mandate conflicts with the further professionalism of education specialists and the structural conditions within this field. Since in early childhood, especially the basic experiences of resonance, encouragement, and reliable relationships contribute to children's positive self-image, the personal competence of the education professionals is of central importance.

This field's heterogeneity produces multiple approaches to violence prevention. These can hardly be collated in their entirety, since the field of action is traditionally influenced by projects of individual centres or providers at the local or regional level. Furthermore, the decision about a violence prevention programme is also dependent on professionals' access to information and arises from local contacts. The "grey literature" –i.e. assessment reports and concepts in own publications or on websites of day-care centres – includes numerous examples of such projects on the topics of conflict, aggression, and violence. In this context, the level of commitment on the part of education professionals becomes apparent, however, the effects of such measures are only verified in a few cases.

In recent years, the educational and political discourse of the profession has moved on. The fixation in the 1990s on symptoms such as "problem children" and "helpless educationalists" has been superseded by active coping strategies which promote social skills and prevent or reduce disadvantages (for example, integration and good performance at school through targeted language development at the nursery level), thus having a violence-preventive effect over the longer term.

Preventive strategy is understood as the considered and deliberate action on the part of education professionals, both as professionally justified individual interventions as well as action concepts of the centres and in conjunction with various partner agencies.

The spectrum outlined below incorporates on the one hand strategies aimed at all children, and on the other hand, specific concepts for certain target groups and problem areas. Although in systematic terms the prevention strategies have

a reciprocal effect on each other, for reasons of clarity they are divided up in the following target groups:

- girls and boys in day-care centres (individual children, partial groups, day-care centre group),
- education professionals,
- parents.

2.2.2.1 Child-related prevention strategies

Here, the focus is both on the everyday organisation of communicative and interactive situations as well as planned activities and programmes. At the centre there is support for social and emotional skills, yet also for strategies that allow for the child's desire for playful aggression within the institutional context.

Under the structural conditions of conventional nursery schools, professionals are often overburdened and cannot do justice to the individual children's particular needs for attention and support. Here, diagnostic assessment and special support services are required in consultation with the parents and in cooperation with the specialised education professionals and partner agencies.

Design of educational processes by education professionals in situative interactions

The often open situations and possibilities for choice at child day-care centres lead on a daily basis to numerous conflicts of interest among children. For example, there are disputes about inclusion and belonging to playgroups, play ideas and roles, or among various small groups, for example, about space and materials. The children also provoke each other and test their relationships, thus their interactions are oriented towards the boundary between light-hearted fun and seriousness.¹⁴⁸ In terms of developmental psychology, these conflicts are an expression of the topics that the children require to develop their identity and skills of building relationships. Many of these conflicts are only short-lived and alternate with cooperative actions. They require no intervention from adults, rather the implicit learning opportunities would not be exhausted if adults were to "interfere".

Additionally, there are destructive actions and courses of conflict, frequently involving those children who have difficulty finding playmates or who are quickly frustrated and who seek the attention of other children or adults by means of destructive behaviour. Such asymmetrical interactions escalate more towards the use of violence. Education professionals intervene in these situations in order to de-escalate matters by separating the opponents, calming down the children, offering reconciliation rituals, mediating in the conflict, or

¹⁴⁸ cf. Dittrich et al. 2001

also ending it with the “voice of authority”. Observational and continued professional development studies show that in everyday school life, education professionals do not always notice the children’s need for support, nor respond appropriately.

Rather, they intervene only when they notice specific signs (volume, crying, etc.), or even negatively reinforce the behaviour of certain children.¹⁴⁹ If conflict regulation and violence prevention are to fulfil more than a “fire brigade” function, professionals must have differentiated skills of observation and reflection, not least in order to recognise subjective involvements and their own entanglement, and to avoid labelling individual children. In this context, the observational approach is of fundamental importance for professional action. For educationalists at elementary school level, observational techniques specific to each field have now been developed. They do not focus on behavioural deficiencies, but record childhood development topics and skills as a basis for designing interactions and educational activities.¹⁵⁰

This professional approach has now been accepted and is defined in law, in education curricula, and syllabuses of vocational training colleges. Nevertheless, considerable continued professional development efforts as well as structural investments are required (for instance, for periods of reflection without child supervision duties), in order that this approach can be adopted as standard all over Germany.

Participation of children

Participation helps children to experience their self-efficacy. In this respect, everyday life at the day-care centre offers numerous opportunities in addition to formalised participation such as children’s conferences and discussion circles. Initially, supporting participation solves many interpersonal conflicts, as the qualified child care workers do not decide for the children, but invite them to solve problems themselves or to negotiate with each other. These situations also offer the best learning opportunities. Successful experiences of participation are positively correlated with the development of socio-emotional and cognitive skills. The acquisition of empathy is therefore especially important for the development of an ability to cope with conflict. Conversely, aggressive behaviour occurs more frequently when attempts to become involved fail.¹⁵¹ Aggressive behaviour is therefore frequently a consequence of social helplessness and exclusion. If such behavioural patterns become a habit, adults’ interventions are made difficult. Hence it is important to give “well-measured support” based on observations as well as interventions which are in accor-

149 cf. Dittrich 2001; Rohrmann 1997

150 cf. Viernickel/Völkel 2005

151 cf. Sturzbecher/Großmann 2003

dance with a child's intellectual and social skills and which lead to short-term successes.

Children's behaviour is essentially influenced by parental rearing style and the behaviour of individuals in charge of education. Taking children's basic right of participation seriously makes the children's own expectations of their qualified child care workers important, for instance, as regards conflict situations, and how they assess their behaviour. This can be learned by directly interviewing the qualified child care workers. However, standardised play-based survey procedures are also available to record children's subjective concepts of the interaction between the child care worker and the child. Empirical results show that in conflicts children do not always gain the desired support from their adult supervisors. Some of the qualified child care workers behave, in the eyes of the children, inconsistently or respond mainly with restrictions and sanctions¹⁵².

Educational programmes and projects

Alongside situative interventions, qualified child care workers also initiate programmes and projects. In accordance with the understanding of early childhood learning processes, the focus here is not on "teaching" the children, but on observing and adopting children's topics by monitoring the play and interaction processes and through dialogue with the children. As regards the prevention of "violence" the primary objectives are:

- reinforcing the children's self-esteem,
- their perception of and coping with emotions,
- their identity as a boy or a girl,
- their physical and motor experience,
- their stress regulations and relaxation techniques.

A multiplicity of specialist books and project materials are available on these topics as well as games, children's illustrated books, and reference media for qualified child care workers.

The specified topics are also the context for special concepts and curricula that are discussed in further detail below.

Coping with difference

At the day-care centre a child's family culture and that of his or her parents comes into contact with a variety of other cultures. This not only refers to ethnic affiliation, but in a wider sense to the most diverse ways of life and life circumstances of families. In their early childhood experiences with equality and difference, small children develop "pre-prejudices" as a basis for their later

152 cf. Sturzbecher 2001

attitudes. The experience, for example, that the child's own skin and hair colour is neither represented on dolls nor in pictures and books, or that the symbols and rituals practised within the family are not replicated at the day-care centre, is absorbed into a child's self-concept and can lead to a feeling of not belonging or that 'something about them is not right'. A monocultural orientation of day-care centres is an early sign to small children that cultures and lifestyles have differing values. Linguistic and cultural barriers of education professionals can reinforce this deficient perspective, thus already contributing to marginalisation and isolation processes at pre-school institutions.

To establish a positive self-image, in addition to reinforcing their self-identity, children also need esteem and contact with their peer groups. Family cultures can, for instance, become visible on photo walls about the children's families. Reading-aloud sessions with parents or grandparents in the family's languages convey acceptance of different languages, while at the same time being a key basis for the acquisition of German as a second language. People's different backgrounds as well as their individual and cultural distinctiveness can be characterised with "persona dolls". In dialogue, initiated by the qualified child care worker, the doll talks about the children's experiences of prejudice and discrimination and enables them to adopt various perspectives¹⁵³.

Intercultural competence has long since ceased to be a requirement for only those education professionals who work in social environments with a high proportion of families with a non-native German background. In a wider sense, concepts for a "prejudice-aware education and training" are aimed at sensitising education professionals to their own and the institution's dominant behaviour, and to equip them to cultivate relationships with the children and parents on the basis of mutual respect and a stance that embraces dialogue.

Gender-related approaches: boys and girls

Observational studies as well as surveys of qualified child care workers confirm that already at pre-school age children behave typically for their sex: girls tend to react in a verbally aggressive way and attempt to control relationships, whereas among boys the "right of the (physically) stronger" is not uncommon.¹⁵⁴ In this field of work, which is dominated by women, qualified child care workers are often a role model for girls. However, according to their own statements, they tend to avoid conflict.¹⁵⁵

Unlike the girls, boys tend to conform less to the instructions given by qualified child care workers. Older boys especially form gender-homogenous "peer groups" and attempt to withdraw from supervision. Although at nursery

153 cf. Wagner et al. 2006

154 cf. Rohrmann/Thoma 1997

155 cf. Dittrich et al. 2001; van Dieken 2004

school a wide range of different forms of “masculinity” are identifiable, for individual boys behaviour can already be observed “which precedes the manifestation of typically masculine forms of aggressive behaviour: exaggerated self-portrayal, exclusion of outsiders, degradation, physical confrontation, and suppression of feelings.”¹⁵⁶ However, at pre-school age, gender-stereotypical behaviour is not yet stable. This represents an opportunity, if education professionals are sensitive to gender questions – also with respect to their own individual identity. In contrast, a barrier is often represented by the “ideology of equality” that is common among education professionals¹⁵⁷. Many qualified child care workers attach little importance to gender differences: in their self-perception, they treat girls and boys in the same way¹⁵⁸. However, the observation and reflection of the interaction between the child care worker and the child reveals a different picture: girls receive plenty of acknowledgement for sensitive and helpful behaviour and often support the education professional, thus leading their self-assertion behaviour to be described as “catty”. In contrast, the “aggressive child” introduced in case discussions is primarily male. Many female professionals regard typical activities of boys such as getting into scuffles, rowdiness, and fighting as inherently “aggressive” and threatening. In educational programmes, boys’ interests are insufficiently taken into account; and in rooms and play materials, masculine attributes and symbols are under-represented. Girls and boys require adults’ acceptance for typical gender behaviour as well as encouragement to behave differently. For girls, it is normal to define and assert themselves. For boys, the important point is to observe their vulnerable sides and to recognise uncertainty and helplessness concealed by disruptive behaviour.

The perception and assessment of children’s behaviour is heavily influenced by one’s personal gender socialisation. Therefore, biographical elements play an important role in continued professional development training and advisory support. Over the longer term, training male professionals would not only bring male role models into nursery schools, but also modify the engagement with the issue of “gender and aggression” among colleagues.

Support of motor function and body perception

The negative consequences of motor deprivation in early childhood have repeatedly been confirmed for almost all areas of childhood development. Deficiencies in a child’s motor functions are closely correlated with perception disorders that lead to inappropriate assessments of their own as well as others’ behaviour, and can involve destructive reactions. The regulation of feelings of

156 see Rohrmann 1997: 307

157 cf. Permien/Frank 1995

158 cf. Rohrmann/Thoma 1997

tension and the control of impulses are also managed by body perception and physical activities.

Exercise as a basic need of children, at many day-care centres, need not be promoted, but must be facilitated in the first place. Opportunities to pursue spontaneous motor needs at any time are more important than planned activities. Restlessness, lack of concentration, or general destructiveness frequently point to an imbalance and deficiencies in the spatial and material facilities of the day-care centre. Spatial concepts which do not take into account the exercise needs of pre-school age children, often lead to unintentional disruptions or demand regimes that cause the children to react in a frustrated way. Educational concepts such as a “exercise nursery school”, sport-educational approaches or “forest nursery school” take such aspects into account.

Studies on aggression in play¹⁵⁹ differentiate between aggressive behaviour and games with aggressive content (scuffle or combat games, imitation of media violence, toys with aggressive symbolism). Aggressive games are defined largely by the equality of the playing partners who attempt to avoid pain and injuries. Behavioural researchers such as play therapists attribute a positive function to scuffle and combat games as socially appropriate, ritualistic forms of aggression. Violence could be avoided if children train their motor-function agility and learn through clear rules to respect the opponent’s limits. The integration of elements of combative sport in regular games and sports lessons has the same objective¹⁶⁰, as well as the equipment of child day-care centres with the relevant kit (e.g. a punching bag). However, the primarily female professionals do not always share this viewpoint. Qualified child care workers (both men and women) frequently report that when they intervene in a supposedly violent situation, the fighting children explain: “We were only playing.”

Curricular and standardised programmes

For nursery schools, there are now various standardised and manually implemented curricula¹⁶¹. Based on the findings of learning theory and communication psychology, these programmes are aimed at training pro-social behaviour and violence-free conflict resolution or amending children’s undesirable ways of behaviour. These programmes have in common (albeit with differing individual scope and content):

- Qualified child care workers, who are familiar to the children, implement the programme and are key individuals promoting success. Training for professionals therefore is of key importance.

159 cf. Wegener-Spöhring 1993

160 cf. Olivier 1995

161 cf. e.g. www.papilio.de; www.faustlos.de

- They are aimed at supporting children's socio-emotional and cognitive skills. The children should learn to perceive their own emotions, to develop empathy, and to cope with rage, fear, and disappointment without the use of violence.
- Interventions are aimed at the group of children as a whole, not at individual "disruptive" children, and take place over a longer period of time at the child day-care centre. Efforts are made to repeat or continue the initiative at a later stage.
- The programmes adopt methods and media that are age-appropriate. For example, socially desirable or undesirable ways of behaviour are personified with animal characters or dolls, (illustrated) stories focus on social conflicts that are typical of the age group, and the children devise conflict resolutions through role-play. Rituals, songs, and set phrases are supposed to ensure that the children remember problem-solving strategies.

Curricula and programmes are distinguished:

- by the duration of professionals' continued professional development course (from only one to several days);
- by the type of programme and forms of additional support (through collective supervision, case discussions, individual coaching);
- by the orientation of the continued professional development course towards individual qualified child care workers or a centre's entire team;
- by the scope in which parents are to be reached. This ranges from individual parent's evenings, which tend to be more suited to promote acceptance for the programme, to qualifying child care workers to independently implement training for parents.

Many of these learning programmes have their roots in the USA, where instructive teaching in the form of lessons is also widespread in nursery schools. In Germany, on the other hand, a child-centred and situation-oriented nursery school education theory has become established. Reports of first-hand experience, however, give no indication that this discrepancy is perceived as a problem among users. Rather, they show that the programmes have an effect as "empowerment" and, in addition to the prescribed approach, can release independent initiative and fresh ideas.

Concepts from communication psychology

Various other concepts are less heavily structured and instructive, although they partially adopt similar theoretical roots and objectives. Concepts such as "violence-free communication"¹⁶² () are widespread in the USA and in nursery schools and educational institutions in other countries. In Germany, too,

162 cf. www.gewaltfrei.de

continued professional development courses are made available for educational professionals. These include training in techniques of empathetic behaviour and moderating conversations that can result in “win-win solutions” in cases of conflict, and applying these to communication with children.

Mediation was also originally developed for other contexts and conceptually adapted to the field of action of day-care centres at a later date.¹⁶³

In continued professional development courses, qualified child care workers learn mediation techniques for conflict mediation among children. Reports of first-hand experience emphasise the importance of the child care worker’s attitude to conflicts as well as the conflict culture of the centre and its team of educators for the effectiveness of such techniques. An integral part of this sort of conflict culture is, for instance, regular children’s conferences. In this instance, education professionals use dolls or other methods to relate current conflicts of interest within the children’s group and they encourage the children to adopt different perspectives and suggest solutions. Thus, the professional workers release themselves from the sense of “total accountability” that many qualified child care workers accept for conflicts among children and instead entrust them with self-responsibility. Children of pre-school age are – in contrast to school – not trained as “conflict mediators”, however, the child care worker positively reinforces a child’s behaviour, if the child attempts to mediate in cases of conflicts among his or her peers.

Evaluation studies are only available for a few violence prevention programmes (for instance, “*Faustlos*” (No Fists), “Papilio”). With respect to many behavioural aspects, the intervention groups – in comparison to the control groups – show significant differences. Furthermore, violence-preventive programmes can improve the job satisfaction of qualified child care workers. However, to date long-term studies are lacking, so that no satisfactory statements can be made with regard to the stability and generalisation of results. For changes that are effective in the long term the decisive factors should be the success of the transfer of training contents to everyday processes, and whether a consistent use of the procedures occurs in the daily interaction of the qualified child care workers and children and in the primarily open situations in nursery schools.

2.2.2.2 Prevention strategies oriented towards education professionals

The statements about child-related prevention strategies suggest that the qualification of education professionals plays a key role in prevention. This yields fundamental questions about monitoring suitability for the profession as well as training and continued professional development for professionals. Alongside processing the substantial growth in knowledge about early childhood, the

163 cf. Faller 2002

role of training and continued professional development courses is primarily to contribute to the development of qualified child care workers' personal and social key skills. Professional policy strategies are only a recent development. These sub-categorise professional requirements as continued professional development modules, with which professionals can record their career progress as a part of their longer term further education biography.

Professional requirements of employees in this field of action have been raised. As regards the function of the day-care centre as a part of a “social early warning system”, the understanding of the professional role understanding has expanded toward the “family worker”. On the foundation of basic skills, in future, educational teams will be comprised of professionals with various additional qualifications and will be obliged to cooperate on an interdisciplinary basis with other professions.

Training

Professional competence can by no means be reduced to formal qualifications. In the public debate about the training reform for child care workers, however, it is rarely mentioned that a quite substantial number of educational employees only have qualifications below vocational training college level. Another cause for concern is that the pivotal importance of early childhood has so far neither been sufficiently reflected in syllabuses nor in occupational profiles for the supervision of children of the under-three-year-olds.

According to the framework agreement on vocational colleges, qualified child care workers should be able “to empathise with children and young people as well as adults, to assert themselves, and to organise processes of mediation and negotiation”, as well as having an aptitude for communication, and being able to offer support in conflict situations¹⁶⁴. This objective is considered differently in the syllabuses of the Länder and the various training providers. Additionally, main emphases and methodological approaches are heavily dependent on teaching staff, so that a compulsory elective course such as “mediation”¹⁶⁵ is not generally available. Orientation of classroom practice towards subject areas and fields of responsibility will in future offer better opportunities to process critical professional situations from multiple perspectives, and with a focus on practical action.

More important than theoretical instruction is how real conflict situations, which students encounter during teaching practice as an element of their training course – partly as a “reality shock” – can be processed, for instance, in case discussions with practice instructors. However, the question arises as to what extent the training phase can prepare for the occupational field's growing and complex requirements. New entrants to the profession in particular need

164 cf. www.kmk.org/fileadmin/pdf/Bildung/BeruflicheBildung/rvfachschul.pdf

165 cf. e.g. Faller 1998

problem-oriented continued professional development and timely possibilities for reflection through supervision and advice “on the spot”.

Continued professional development and advisory support

Studies on the effect of child rearing styles on children’s conflict and cooperative behaviour arrive at the unanimous conclusion that an encouraging, emotionally engaged approach on the part of the qualified child care worker is to be regarded as an essential condition for children’s pro-social behaviour¹⁶⁶. Equally, empirical studies also show that supervising adults frequently do not represent any appropriate model for competent behaviour in situations of conflict. The educational goal of “constructive conflict resolution” is not reflected in their personal behaviour. Qualified child care workers frequently give “helplessness” and “feelings of powerlessness” as motives for taking part in continued professional development courses on the subject of “aggression and violence”. These feelings lead to a restricted spectrum of response which oscillates between rigid intervention or a despirited laissez-faire attitude. These patterns cannot be altered by the schematic application of behavioural rules. The demand for continued professional development courses with a simple formula is high, especially for short courses. The predominance of continued professional development courses that last one to a maximum five days reflects the difficult structural and financial conditions in this field, yet also meets the needs of many education professionals. Short training courses can only introduce information and concepts. However, processing individual experiences of violence, power, and powerlessness, one’s own gender socialisation as well as the confrontation of idealisations of childhood, family, and education needs a framework, which gives room for personal experience and working through the individual biography. Education professionals, who have participated in long-term and part-time continued professional development courses, dealing with topics of “conflict, aggression, and violence” report in programme evaluations about a greater acceptance and sense of security when coping with conflicts among children. The precise observation of play and interaction situations enables them to differentiate better between the children’s need for assistance and competent behaviour, and also expands their own behavioural repertoire¹⁶⁷. Media-assisted forms such as accompanying video-interaction¹⁶⁸ enable the qualified child care worker to observe him or herself interacting with a “difficult” child, and to observe the child’s unnoticed or inappropriately answered needs for attention and support. Practice reports point to the high intensity of this form of resource-oriented advisory support, and processing scenes of successful communication quickly leads to rapid and effective modifications of the child care worker’s behaviour. Developing the skill of

166 cf. Dittrich et al. 1996

167 cf. van Dieken 2004; Dittrich et al. 2001

168 cf. www.spindeutschland.de; Besancon 2005

observation, in particular, requires forms of work related to individual concerns, including regular case discussions, inter-collegial advice in the team at the day-care centre and advice on teaching practice and supervision. At present, resources of most day-care centre providers as well as projected staffing costs rarely facilitate this, so that frequently advisory support can only be sought in crisis situations.

Because qualified child care workers do not work with children on a one-to-one basis, but are rather integrated into diverse team processes and open situations, the transfer processes from continued professional development to the occupational field are highly significant. These processes are rarely evaluated, however, education professionals frequently report that they are not successful in implementing the content of the training courses accordingly. There is much to be said for the closer integration of continued professional development and advisory support at the work place and involving the entire team.¹⁶⁹

In view of the increased networking and further development of day-care centres' understanding of their own function, there is a growing need for continued professional development as regards interdisciplinary cooperation and advisory support for the family.

Cooperation and networking

Within the scope of their orientation towards the social environment, many day-care centres cooperate with other providers of child and youth services, advice agencies, the police, and authorities in the area of violence prevention. The forms of work are, for example, regularly held "round table" discussions, joint events or violence prevention concepts for a city or region. If no statutory forms of cooperation are set out as, for instance, participation in the proceedings for child rearing support (see chapter 2.1.1), these are highly dependent on local circumstances and the personal commitment of individual managers and professionals.

In cases of behavioural problems, networking within the social environment can both facilitate easier access of parents and children to the suitable support services, as well as assist qualified child care workers via interdisciplinary work. One barrier is that the education professionals do not always sense adequate recognition for their skills, and communication is made more difficult due to different professional approaches. This certainly depends also on their lower professional status in comparison to the academic professions. These difficulties make efforts for cooperation partially ineffective.

169 cf. van Dieken 2004

2.2.2.3 Family and parent-related prevention strategies

The communication and cooperation between parents and qualified child care workers is of fundamental importance for the well-being and development of children. As one parent generally brings the children and another collects them, a daily, uncomplicated form of contact and exchange emerges. This is a good basis for cause- and problem-related discussions. For most parents, the qualified child care worker is a person they trust to whom they can also turn with their uncertainties about their own child rearing behaviour and even with personal problems. Many parents desire the support of the day-care centre if their child has behavioural problems¹⁷⁰. On the other hand, many education professionals feel insufficiently equipped and overtaxed to provide this. Unclear and unrealistic expectations lead to mutual attributions of guilt and dissociations¹⁷¹.

Fundamental for a positive relationship are the model of a “partnership in education”, with which the day-care centre acknowledges that the parents are experts in rearing their children, and a variety of communication forms and forms of encounter that parents can become involved with using their skills. However, this approach must not select those parents who are in agreement with the attitudes of the professionals. Rather it is important to involve parents with low education or from marginalised social classes, and to seek cooperation on an equal footing, according to the principle “every mother, and every father can be a teacher in some area”¹⁷².

Some professionals have unrealistic expectations of subject-oriented parents’ evenings, where external experts give lectures on educational topics such as “conflict among siblings” or “media consumption and violence”. Although such events are among the accepted services offered by most day-care centres, according to statements made by the educationalists, they do not reach the parents “who need it most”. Modifying problematic parental behaviour cannot be expected from such forms of parental education. Moreover, it seems that the parents also know how to evade this form of instruction. Individual day-care centres cooperate with other providers of child and youth services – such as family education centres – on parental education matters and offer, for example, training courses on child rearing skills. Recent developments tend towards a modified understanding of the day-care centre as a family centre that facilitates a low-threshold service for education, advisory support, and getting together for families within their locality. The fundamental principle in this instance should be that the day-care centre’s ethos of integration and mutual respect is maintained and children as well as families are not identified in a one-sided manner as “clients” and “in need of support”.

170 cf. Ministerium, no year

171 cf. Sommerfeld 1996; Prott 2004

172 see Prott 2004: 36

2.2.2.4 Institution-oriented prevention strategies

The institution's understanding of its function for child rearing and child education, the values represented in institutional guidelines, as well as management practice and team work fundamentally define the "educational climate" and the type and course of conflicts¹⁷³. In contrast, many qualified child care workers seem to consider dealing with conflicts and aggressions mainly as an individual task and less within an institutional context. It is astonishing that although the "ability to cope with conflict" is mentioned as a key learning objective in many educational concepts of day-care centres, the teams hardly define any fixed written guidelines and action strategies. Although rules are established for the children ("we don't hit"), these nevertheless remain appeals, as long as ideas are absent about how to reasonably implement these rules. The formulation of professionally argued and reliably implemented maxims for action could make professional action more transparent for parents, and be a basis for dialogue and agreements with them.

There are strategies for the development of violence-preventive institutional concepts on the theoretical basis of the mediation approach, and they have been successfully implemented.¹⁷⁴

2.2.2.5 Risk group-oriented prevention strategies

Research results about the development of the propensity for violence highlight the risk factors in early childhood. Children from violent families run a higher risk of becoming perpetrators as well as victims of violence themselves during the course of their development (see chapter. 2.1). However, risks may not be reduced to this aspect and the causes are rather more complex in nature. Qualified child care workers report frequent occurrences of disruptive behaviour, if the children's social environment reveals problems of an extraordinary degree.¹⁷⁵ Therefore, not only individuals but also social environments can become points of reference for violence-preventive measures.

The results of research into resilience demonstrate that children from a disadvantaged background develop coping strategies, if they are supported by sensitive, engaged, and reliable development mentors and they can even compensate for less reliable relationships within the family with other experiences.¹⁷⁶ Not all qualified child care workers succeed in this compensatory achievement, as shown by surveys in which children, who assess the behaviour of their parents as restrictive and sanctioning, also assess their child care workers in the

¹⁷³ cf. Rohrmann 1998

¹⁷⁴ cf. Faller 1995

¹⁷⁵ cf. Ministerium, no year

¹⁷⁶ cf. Schneider 2004

same way – and more often than is attributable to pure chance.¹⁷⁷ Children with negative expectations of their environment often test the sustainability of relationships by disruptive behaviour. To avoid such cumulative effects, professional youth workers need relief, professional support, and structural assistance. Risk group-oriented prevention, however, is not only related to the children, but targets the entire family system. Day-care centres boast particularly favourable conditions: in no other field of child and youth services is there such natural, non-selective daily contact between risk groups and professional support workers. However, children of socially disadvantaged groups such as immigrant children attend day-care centres less frequently and educational managers regard language barriers as a major problem in the communication with parents.¹⁷⁸

Day-care centres could play a central role within “early warning systems”, however, in the context of present structural conditions qualified child care workers have restricted freedom of action to respond in a timely and effective manner. If they suspect a slower development or imminent disability, they can recommend to the parents to apply for rehabilitation aid which is granted in the form of additional personal support and therapeutic services at the day-care centre or by attending an integrative institution. However, some parents refuse to accept counselling or therapeutic support.¹⁷⁹ In this case or in other cases of disruptive behaviour, the professional youth workers are themselves largely left alone with a child’s permanent difficult behaviour. While partner agencies such as the *Allgemeine Soziale Dienst* (General Social Services), education and family advice points, early support services, and many more are basically prepared to advise qualified child care workers, there are limits to their service because general counselling advice is not funded in the run-up to accepting case work. Thus, frequently more binding forms of cooperation only occur on an individual case basis and when crises are intensified. Media reports about especially spectacular cases of child neglect bemoan the lack of, or the unsuccessful, cooperation, and the early symptoms being overlooked on the part of professional support workers.

Various model projects highlight the necessary changes and have tested effective strategies for this¹⁸⁰:

- networking of the various services from different social environments on a joint working basis, development of a joint understanding for multi-professional cooperation with joint criteria for the perception of problem cases, among others, by cooperative extended education courses,

177 Sturzbecher 2001

178 cf. Deutsches Jugendinstitut 2002

179 cf. Leuzinger-Bohleber 2006

180 cf. among others www.sigmund-freud-institut.de; Ministerium, no year

- extension of counselling and supervision within proximity to the work place,
- development of instruments to observe behavioural problems,
- aid and support tools, which define the specific interventions by professional youth workers if a child exhibits behavioural problems, and informing about contact persons for support services outside the day-care centre, so that educationalists can direct and refer parents to adequate assistances.¹⁸¹

Working with deprived families requires a level of professionalism that can neither be taken for granted for managers nor for qualified child care workers. These parents' ideas about education and educational practices frequently differ from those of the day-care institution. The rejection of parents by qualified child care workers has the effect of the withdrawal of the former and can involve a child in loyalty conflicts. Preventive work must therefore start with existing resources and parent's skills. Integrated concepts with supervision, counselling, and support service programmes "under a single roof" follow this objective. This includes both fixed as well as open groups for children of various ages, parent-child groups, parent groups, as well as various leisure programmes and programmes for material support (for example, clothes shops, furniture stores, lunch service). The "Sure Start" programmes in English regions of poverty are among the models for these concepts.¹⁸² These provide for parents to participate in multiple ways in the education and child rearing in cooperation with the professional youth workers, thus developing parenting skills. At the same time, extensive participation opportunities work against the social isolation of disadvantaged and often unemployed parents. Furthermore, in view of the recently formulated pressure for political action and the pace with which day-care centres are expanding their concepts, it seems reasonable to develop quality criteria for these concepts and to verify them in the field.¹⁸³

2.2.3 Summary: needs and further outlook

Due to their self-understanding as well as their low-threshold and non-selective approach, day-care centres are places of primary prevention. This is increasingly acknowledged within society.

To this end, professional practice develops concepts and procedures, which are relevant to the field of action, in particular for mentoring and supporting children's individual development. Despite the numerous pioneering projects and the commitment of many professional youth workers, it cannot be assumed that qualified child care workers can fulfil the growing requirements of their

181 cf. Esch 2004

182 cf. www.britishcouncil.de/d/education/ecec.htm

183 cf. *Deutscher Kinderschutzbund* 2001; www.familienzentrum.nrw.de

professional role without improved training and continued professional development as well as, in future, upgrading and expanding their professional image as a “qualified child care worker”. With respect to violence prevention cooperation with families and networking with other social services are especially worthy of mention.

In this field of action, research and evaluation need to catch up, as questions about the long-term impact of measures can scarcely be answered. However, for this field of action, it is safe to say that long-term strategies and the integration within an overall concept as well as qualification of professional youth workers represent the key factors for success.

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2.3 Violence Prevention Strategies in the Child and Youth Services with Reference to Young People Aged 13 and Up

This is an account of the key programmes and strategies used by the child and youth services in dealing with violence. It excludes services provided by child day-care centres and by family support services, which are described in separate contributions (► Ch. 2.1 “Familial Context” and 2.2 “Child day-care centres”). In Germany, the child and youth services are legally defined in the German Social Code Book VIII. In the interests of a better understanding of what the child and youth services can and cannot do in terms of violence prevention, the first section of the present chapter describes the field of action. It covers the legislative framework and the structural background (► Ch. 2.3.1.1), also the fundamental principles and perspectives involved (► Ch. 2.3.1.2).¹⁸⁴ The second section provides an overview of the main strategies of violence prevention, distinguishing between those aimed globally at all children and young people (► Ch. 2.3.2.1) and those basically aimed at young persons from whom there is reason to anticipate violent behaviour (► Ch. 2.3.2.2). This last group is subdivided again. Situations are described in which there were conflicts or a “perceived” threat of violence, but also others in which violence actually occurred or continues to occur and young people have committed criminal acts. A further section is devoted to the strategies concerned with young people as victims or potential victims of violence (► Ch. 2.3.2.3). Each of the sections 2.3.2.1 to 2.3.2.3 ends with a summing-up of the main points of the strategies discussed, with due emphasis on the cross-relevant topics of gender, migration and participation. The following section (► Ch. 2.3.2.4, “Qualification”), which may be thought of as a higher-level approach, deals with strategies for further professional development in violence prevention in the child and youth services. In view of the frequency with which current public debate on young persons and right-wing extremism mentions violence almost in the same breath, we devote an excursus (► Ch. 2.3.3 „Right-Wing Extremism”) specifically to violence prevention in that context. Finally, we detail the key challenges to be confronted (► Ch. 2.3.4 „Conclusions and Challenges“).

184 In contrast to school education, the police and the justice system, the child and youth services are almost unknown outside professional circles. The services are still not infrequently confused with the “old” *Jugendamt* (Child and Youth Office), which had an interventionist approach.

2.3.1 The Child and Youth Services' Field of Action

2.3.1.1 The Legislative Framework and Structural Background to Violence Prevention in the Child and Youth Services

In Germany all young persons have a right to receive help in their development and to be educated towards becoming an independent and socially adjusted individual¹⁸⁵. Although the bringing up of children is primarily a parental task¹⁸⁶ and the central responsibility for education devolves on the school, the youth services¹⁸⁷ have a duty to provide additional help for children and young people and to help avoid or reduce disadvantage. The youth services have a duty to advise and support parents and carers, to protect young people from dangers, and to contribute to the development of favourable living conditions. To these ends a wide range of assistance and support services have been developed, in particular *Jugendarbeit* (youth work), *Jugendsozialarbeit* and *Hilfen zur Erziehung* (socio-educational provision), *Kinder- and Jugendschutz* (protection of young persons), assistance provisions for schooling and for young adults, *Beistandschaft* (curatorship) and *Vormundschaft* (guardianship), and provision for intervention when the wellbeing of a child or young person is endangered.

In this context, violence is one more significant factor – children and young people may be offenders, victims, or simply witnesses of violence. Differing experiences of violence form a part – but no more than one part – of the environment they live in. Accordingly, dealing with violence is not central to the youth services' work. Violence prevention is just one concern, though an important one, among others. However, if the youth services involve themselves in violence prevention, as a consequence of a small number of spectacular incidents¹⁸⁸, then, and additionally to

- education in conflict resolution provided at child day-care centres and
- the many types of assistance available to families, including assistance with upbringing,
- there is a need above all for provision of:
- youth work (both through organizations and otherwise),
- out-of-school youth education,
- socio-educational provision,
- protection of young persons in public and, not least,

185 cf. § 1 German Social Code Book VIII

186 cf. Article 6 of the *Grundgesetz* (German Constitution)

187 Although in accordance with SGB VIII the child and youth services cater for all persons not yet 27 years old, i.e. to children, *Jugendliche* (young people 14-17), *Heranwachsende* (young people 18-20) and *junge Volljährige* (young adults 21-26), the present study will be concerned mainly with youth services. The reason is that in this section the principal target group in the context of violence consists of young people 13-17.

188 These include the two instances of an armed individual running amok in a school (Erfurt 2002 and Emsdetten 2006).

- youth services in youth court proceedings (approx. = England's Youth Offending Team service).

The youth services are basically structured on the principle of subsidiarity, which is an important principle in the German social security system. A consequence of this principle is that projects and programmes – both in violence prevention and in other areas – are primarily a matter for local development and implementation. The German State at Federal level provides only the general legal framework, by way of Social Code Book VIII (child and youth services), and it is for the individual federal states to put specific arrangements in place.¹⁸⁹ For provision at local level, recognised independent providers of youth services – these are effectively NGOs – take priority over the *Jugendämter* (child and youth offices).¹⁹⁰ The latter, being public-service providers and having responsibility as providers of last resort, are debarred from acting unless and until the independent providers fail, or are unable, to make provision or sufficient provision, do so. In the light of these circumstances, it is unsurprising that, in contrast to countries with a mainly centralised regulatory structure, Germany lacks a national violence-prevention programme. While nationwide programmes¹⁹¹ certainly exist, the preponderance of responsibility resting with the providers at local level has encouraged the development and deployment of a heterogeneous range of projects and programmes. Most of these are substantially influenced by local and regional circumstances and traditions, build on the particular competence areas of the providers and their professional staff, and have specific regard to the actual living circumstances and the individual capabilities of the young people involved. Most of these programmes run for a fixed term, which means that rapid adaptation to changing circumstances is possible. At the same time, however, there are associated risks of programme interruptions and of dependence on extraneous considerations. The currently rather limited potential and priorities of public budgets are an overriding constraint. A further major handicap affecting violence prevention in the youth services are its high degree of exposure to random spectacular incidents and the fallout in terms of public debate. In consequence, the financing of projects – and thus the practical possibilities

189 In addition to its legislative role, the *Bund* (German State at federal level) has the power to initiate developments, which in practice mainly take the form of pilot programmes. One significant and much-debated model programme in the context of violence prevention was the *Aktionsprogramm gegen Aggression und Gewalt* (Programme of Action against Aggression and Violence) implemented in the Eastern federal states from 1992 to 1996 by the then Federal Ministry for Family Affairs, Senior Citizens, Women and Youth.

190 Under SGB VIII, the churches and religious groupings recognised under public law and the national associations for independent provision of welfare support are officially recognised providers of independent youth services, while other legal persons and associations of persons may become such if certain conditions are fulfilled. In addition to these independent providers, services on a lesser scale are also provided by a number of private commercial undertakings.

191 These include e.g. *Faustlos* (No Fists!), which was implemented mainly in schools, and programmes of anti-aggression training.

open to the providers of youth services – may not infrequently fall victim to “the vagaries of the market”. Once public concern has waned, even high-quality, proven projects¹⁹² are soon under threat because of their close association with the triggering event, and because they are fixed-term. It is only in exceptional cases that they achieve the status of long-term funded programmes. In periods of slackened public interest in violence, the child and youth services and their efforts to combat violence are at a relative disadvantage – vis-à-vis schools, police or the justice system, for example – in terms of legitimacy in the public eye. At other times, dramatic events attracting heavy media coverage will once again enable programmes labelled “violence prevention” to attract funding.

Variations in personal experience and in training of the youth services’ employees mean that not all are equally prepared for their encounter with violent behaviour by young people. A number of developments, though, have now been set in motion as a result of the recent more intensive public debate on juvenile violence. As youth services professionals consider a certain degree of juvenile violence to be “age-related”, hence calling for a primarily education-based approach, the topics of “juvenile violence” and “coping with violence” have become more and more widely adopted in training courses and in continued professional development.¹⁹³

2.3.1.2 Basic Principles and Perspectives in the Child and Youth Services

The youth services have never merely reacted to impediments or harmful developments; on the contrary, it has always moved in good time to avert potential and concrete dangers. As far back as the *Achter Jugendbericht der Bundesregierung* (Eighth Youth Report issued by the Federal Government in 1990), prevention was declared to be one of the services’ structural principles. Carefully targeted and well-proven courses of action and radical new initiatives alike aim at early prevention of maldevelopment. One of the tasks being tackled is the prevention of violence.

For young people, violence and personal experience of violence take place during a life phase in which they are constructing their psychosocial identity and becoming personalities with individual interests and abilities. On the road from childhood to adulthood, detours and abrupt breaks are normal, and conflicts are resolved in different ways influenced by such things as gender, age, cultural background, social status. Another important factor is the regional context; and help and support offered by parental home and family leaves a

192 As happens in other fields too, projects and programmes in violence prevention are evaluated only in exceptional circumstances. Accordingly the term “best practice” is avoided here.

193 The last twenty years have seen steady growth in this area; since 2006 there has even been a postgraduate qualification on offer, a Master’s degree at Hamburg in “Conflict Management and Violence Prevention”.

lasting imprint. Some children and young people have very little experience of violence, or find that they can cope with it; others sometimes do have problems, and a few have long-term problems. However, it is broadly speaking the case that experiences involving physical violence between individuals of the same age-group are age-related, and characteristic of young people 14-17. This applies particularly to boys, even if no one generation becomes a danger to others or is endangered itself. For those actively involved in youth work, the implications are that they must avoid opprobrium, defamation, and exclusion, and must address themselves to the positive features of young people, not their deficiencies. The youth services are there for everyone. Their proper functions are to supply individualised, well-targeted assistance on a scale commensurate with the problem and to work together with the children and young people of that age-group in a joint search for solutions. Those who have problems and create problems should be the central focus of the work. Where violence is involved, children and young people may be offenders or victims, and are often both at once. From this perspective it is clear that while violence may feature in an individual's behaviour, it still only constitutes a part of that behaviour. The focus is thus not on violence alone, but on the young persons in the round. They are accepted as individuals – which is not to say that their violent behaviour is condoned. Using this approach it is possible to build relationships, so that in the next phase work can begin on a joint basis, addressing the violence itself and both the offender experience and the victim experience. That is why outlawing violence without enquiring into the social or cultural background or the causes is not enough. The need is for intensive and frank confrontation with the underlying problems.

The youth services offer their strategies of violence prevention to all children, and to all young people 14-20. They need support, and should be able to develop into independent, socially adjusted personalities. Freedom from violence, frankness and tolerance are important principles in this process, and are listed as objectives in the guidelines and service manuals of providers of youth services.¹⁹⁴ If there is a continuing support need which may arise from (or in part from) violent behaviour, then selective use is made of other services currently available, or new services are developed and implemented. However, the youth services are only one of the actors involved, and on its own would rapidly come up against its limitations. It is faced today by a contemporary society characterised by ever wider internal disparities and greater diversity of living standards, by diminishing prospects facing young people in the labour market, increasingly demanding requirements in education and training, and new and different challenges imposed by immigration and an increasingly diverse cul-

194 Among the qualities most regularly cited are, for instance: self-reliance, confidence, a sense of self-esteem, construction of a system of values, autonomy and initiative, communicative ability, cooperativeness, ability to cope with conflict, perceptiveness and empathy, and a sense of responsibility.

tural milieu. Such a society poses new problems for those seeking ways to meet the phenomenon of violence, problems that can only be successfully tackled by coordinated efforts undertaken jointly with parents and carers, professionals from the youth services and other fields such as schools, police, and the justice system – and also, not least, in cooperation with politicians and the general public.

In addition to assisting in the handling of age-related conflict, in preparation for a life free of violence, the youth services professionals also contend with non-age-related violence committed by young people. This work is carried on in the services' own centres, among the wider public, and in centres run by other organisations. In recent years, cooperation with schools in particular has expanded very considerably and also generally improved, most notably in the field of violence prevention. There is also close collaboration with the police and the judicial system within the context of the youth services' role in criminal proceedings and the juvenile courts

In youth services, unlike other fields, an important strategy among those employed is the use of the voluntary principle, which is firmly established as a fundamental principle of child and youth services. Help offered by the youth services can be accepted or refused, so if the services on offer are actually to reach young people, they must be attractive. This has resulted in considerable expenditure of effort aimed at arousing young people's interest. Shared decision-making and shared designing of programmes have acquired greater importance, and the young people themselves are now expected to decide on steps to be taken, and to learn to accept a share in responsibility. To permit learning-processes and trialling to take place, they are provided with physical space and situations which – in comparison with other institutions – are not available elsewhere.

The tailoring of service provision to local needs, and open-ended adaptation in response to changing conditions, are the responsibility of youth services planning. Thus, depending on what is actually required locally, the main focus in violence prevention may vary between one district and another.

In contrast to other fields of action, the youth services are called on in Social Code Book VIII to cooperate both internally and with others. Cooperation is expected, not only with the various players in the social environment and with institutions, but also with the children and young people and their families. It is thus clear that cooperation, voluntarism and participation are major operating principles, and the youth services see their work as a co-production with young people and with others.

2.3.2 The Strategies of Violence Prevention in the Youth Services

The strategies of violence prevention in the youth services can be categorised according to various criteria – for instance by partner agency, by age-group, by working method, or in line with the different ways in which violence is manifested. This study uses the latter approach, since the different types of violence encountered impact differently on daily life not just for the youth services but more widely. Violence prevention addresses these manifestations, whether directly and exclusively or indirectly. The following account is structured on these differences.

The youth services come face to face with children's and young people's experiences of violence in the roles of offender, victim or participant both inside and outside the institutional context – and this fact sets it apart from (for example) the schools. Their professional staff go about their duties within the services' own institutions, e.g. the leisure-centre discos or Junior Fire Brigade meetings, but also in external institutions such as schools or juvenile custodial centres. The help they can provide is also in demand in the public arena, on urban streets and open spaces. It is in these urban settings in particular that the services encounter problems of a fundamental nature. The less check there is on young people's activities, the more their lives are determined and organised according to their own ideas, the readier adults will be to perceive dangers in the way that young people are growing up, or to perceive themselves as under threat from young people. That is not the same as within the youth services' own institutions, where stimulus and free space are available but limits clearly indicated; in public areas, young people's activities are critically scrutinised and quickly pegged back.

Because the social environment is important for the growing-up process in children and young people, and yet virtually heedless of what might be in their interests, it is an important reference-point, both conceptually and in practice, for violence-preventing strategies. Providers of youth services engage in co-operative and networking activities with the aim of bundling available resources and so making more intensive use of them. For example, high-level co-operation systems are developed with child day-care centres, schools, the police, and sports clubs as partners, with a view to early identification of problematic situations. These activities are not directed solely at the most conspicuous groupings of young people, those attracting the most attention because they create the most pressing problem, but extend also to strengthening and supporting those young people's groupings that do not call attention to themselves by the use of violence and do not cause problems. This mainly indirect strategy, intended to promote a substantial counterweight at local urban level to the "culture of violence", has so far attracted too little notice.

Children and young people grow up in different regional, social and cultural environments that do much to shape their attitudes and behaviour. Services provided by the youth services are designed to match these environments. This applies in the leisure centres, in detached youth work (“streetwork”), or in work with football fans. Young people’s experiences of violence reflect their particular life’s setting in problem areas of big cities with its concomitants of poverty and lack of prospects. These are environments in which physical strength and uncompromising self-assertion often make the difference between access and non-access to opportunity. For the same age-group in rural or economically prosperous districts, the experiences are different. While there is violence here too, it is less public and takes a less spectacular form. A further factor is that an appreciable number of minors have grown up in different cultural environments, including countries involved in civil war, with the associated legacy of traumatic memories. There is now increased effort to take proper account of these experiences and their relevance through targeted transmission of knowledge or through the integration of professionals from these countries or environments into the work in mixed teams. In gender-specific work too, deficiencies persist. While work with girls has developed well, corresponding work with boys, notwithstanding some early indications of progress,¹⁹⁵ is still under-developed. Boys have virtually no way of finding an independent and self-confident masculine role, because outside the traditional masculine role there are few role models and both stimulus and support are largely lacking. Boys still mostly learn to apply physical energy and strength to the solution of problems. While this behaviour secures their status among their male age-group, it also has the consequence outside the group of getting them punished.

The use and the effects of violence are age-specific: as age increases, more violence is to be observed, and violence used is more serious and more targeted and/or purposive. These observations influence the choice of preventive approaches.

The great diversity of its youth cultures reflects the fact that Germany is now an immigration country. It also means that youth services professionals are going to be confronted with a ever-growing range of hitherto unknown challenges, if they are to properly address the life circumstances and the interests of young people; violence prevention will require fresh educational strategies and solutions. The approach will involve the young people to whom it is addressed, so that the search for solutions is in effect a co-production. This marks off out-of-school services provision as quite distinct from work done in kinder-

195 The *Heimvolkshochschule Frille* (a residential educational facility) is one of the few institutions with long experience in this field.

gartens, day-care centres and schools on the one hand, by the police and the judiciary on the other.¹⁹⁶

2.3.2.1 Non-specific Strategies with a Violence-Prevention Aspect

Generally speaking, children and young people resolve their conflicts without using violence. Scuffles and similar minor physical confrontations are part of growing up, and are in no way a reason for concern. The term violence should only be used with caution, because violence is not a dominant feature in young people's behaviour and rarely exceeds the limits of behaviour normal in a given age-range. A prevention campaign aimed indiscriminately at all violence would be excessive and in view of the associated blame- attribution issues could prove counter-productive. The youth services, however, in line with their fundamental mission to "promote development and support education", have programmes on offer which afford the opportunity to learn ways of resolving conflicts without the use of violence. The programmes available are all multi-objective in nature, and violence prevention is not necessarily a central issue. They are addressed to all children and young people; they do not distinguish between "violent individuals" and "normal individuals"; and they seek to avoid discrimination of any kind. In its broad outline the subject-matter of the programmes is aimed to connect with the interests of the given age-group, and does not address individuals. Children and young people are treated as members of one or more groups.

Certain programmes that are now being represented as violence-prevention were previously designated as out-of-school youth education, or as sport. One prominent example is night-time sport (e.g. midnight basketball): as a non-commercial activity for sport-minded young people 14-20, it may well have some violence-preventive effect as a by-product, but it is not violence-prevention in the strict sense. And yet sporting and other physical-activity programmes are constantly being presented in close association with violence prevention. This amounts to creating the impression that engaging in sport, an activity that appeals to young people's natural enthusiasm for movement, physical contests and trials of strength, and is conducted in a regulated and supervised environment (e.g. the presence of a referee), somehow automatically becomes an effective prophylactic against violence.

Youth services programmes currently available are still insufficiently gender-specific in the way they address young people. The rare exceptions include assertiveness training, which is only offered to girls, and mostly without being

196 There are parallels here to the field of action concerned with family matters – in part because there is a common basis in Social Code Book VIII. In the case of assistance available in family issues too, the aim is to cooperate with the individuals directly affected in finding the appropriate forms of assistance, deciding on objectives, and working towards their realisation. The outcome is then the result of collaboration between all parties.

specifically prompted by events. Comparable programmes for boys, who tend more readily than girls to settle their differences physically, are being developed only at a slow pace. There are also deficiencies in the approaches used for young immigrants of both sexes. Courses and training sessions almost invariably rely heavily on verbal communication and are conducted in German. Even in connection with physical activities, language remains important. This automatically marginalises or even excludes all those whose knowledge of German is not adequate. Nor are the cultural contexts specific to the respective groups sufficiently recognised and catered for.

In cooperative work with schools, the youth services address a given type of programme to the school class as an existing community, not to individual children or young people described as “difficult”. The group constitutes the learning environment in which the students learn from one another. The approach excludes no-one and accepts that at this age physical confrontations are commonplace. The youth services projects offer regulation of conflicts and the chance to learn how to cope with conflicts in a non-violent, socially positive way. By addressing children’s and young people’s personal experiences, the programmes automatically involve the school context. Important reference-points for developing these approaches are supplied by the students’ experiences of violence at school. If only the school’s students participate, this is quickly appreciated; however, violence directed against students by teaching staff is hardly addressed at all. Institutional violence has likewise not yet been adequately targeted by strategies of violence-prevention. There are difficulties about expanding the programmes, as schools continue to turn a blind eye to this reality. More scope is afforded by projects that engage the whole school, including teaching staff, headteacher and janitor. Projects of this nature are directly concerned with conflicts, and play their part likewise in advisory work and continued professional development. The youth services are also much more heavily involved in projects concerned with mediation and conflict resolution, which are now running at schools all over Germany.

Even if youth services are only intermittently active in schools, they nevertheless offer school students opportunities for learning social competence that are not provided by the standard curriculum. For the students, and for interested teachers, the inflow of ideas will open up new approaches and new horizons in conflict management.

While heavily standardised programmes such as *Faustlos* (No Fists!) allow only limited scope for the young people to get involved in programme design, there are other approaches to which this reservation does not apply. For instance, *KBS – Konfliktbehandlung an Schulen* (Conflict Management at School) can be more closely tailored to actual conditions on the ground, and indeed assumes that the services provided will be adapted to suit local needs and expectations.

Although there seem to be indications of links between school refusal, truancy (persistent or occasional), and youth crime, the present study will not examine the by now numerous approaches developed by the youth services in dealing with this complex of problems. One reason is that the correlation between school problems and violence seems to be no more than weak to moderate; additionally, it is of central importance precisely to preventive strategies to identify the specifically school-engendered component in the development of “problems at school” and factor it in appropriately. And in any case the primary object of the approaches mentioned is to enable school attendance to be resumed, not to prevent violence.

Youth media protection puts forward an independent strategy for coping with violence and seeks to protect children and young people from media potentially harmful to them, i.e. in the present context from media that depict and glorify violence. While there seems to be no direct correlation between the consumption of such media and violence perpetrated by children and young people, it is believed that such consumption may in certain constellations of circumstances produce an enhancement effect. Distribution of harmful media (books, music, films, videos, computer games, internet pages etc.) is restricted by the *Jugendschutzgesetz* (Law for the Protection of the Youth); the debates on the issue flare up anew whenever a spectacular incident occurs.¹⁹⁷ For a time it remained possible for new laws to make access to violent material in the media considerably more difficult. But since the internet and new technologies such as the ever more multifunctional mobile phone became universally available, the law on protection of minors has become relatively ineffective. One reason is that children and young people are often more adept than adults at manipulating the technology. Again, national laws are no longer adequate to cope with the international internet. For these reasons, the educational approach to protection of young people is gaining in significance. Education programmes focused on the media aim to enable children and young people to gain an understanding of the new media and of the material supplied by the new media, and encourage them to feel they can ask for help if it is needed. In this context, parents and education professionals are important. They need to be kept informed and given training on an ongoing basis, and need to have greater knowledge of both the content and the technical potential of the new media.¹⁹⁸ Only thus can they recognise and assess potential dangers and respond appropriately.

Non-specific strategies with a violence-prevention aspect may be summarised as follows: They tend to address younger age-groups, along with parents and carers, and are designed with the immediate social environment in mind. Methodology extends across casework, groupwork, and community work. The

197 This was clearly demonstrated after the school shootings at Erfurt and Emsdetten.

198 E.g. the web page www.jugendschutz.net

approaches used are mostly dependent on the resources of the children and young people themselves, and are organised as projects: that is to say, their content and duration are fixed in advance. Out-of-school youth services here cooperate principally with child day-care centres and schools.

Gender: The programmes offered are rarely gender-specific, and even if operated by both male and female professionals hardly ever reflect gender roles as they should.

Migration: Cultural and social differences among children are not consistently taken into account. Many programmes make participation strictly conditional on an adequate command of German, which virtually amounts to automatic exclusion of many immigrant children. The proportion of professionals of non-German origin with additional linguistic and cultural knowledge should be further increased.

Participation: In addition to the largely standardised programmes offered within the curriculum, numerous projects work on the basis of having children and young people actively share in project design and other work.

2.3.2.2 Youth Services Strategies for Target Groups directly linked to Violence

Violence, whether manifested or only a threat, is treated by the child and youth services as a key starting-point for violence-prevention. Even if violence and the risk of violence are important triggers, violence is still only regarded as one factor among others affecting the behaviour of children and young people. It may be an indicator of the educational input required, and that requirement in turn is what decides the choice of suitable programmes. Depending on the particular circumstances, it may be possible to undertake a factual enquiry into experiences of violence; but there is no requirement to do so. If the children and young people involved are affected by issues other than violence, such as difficult family situations, the youth services can select from the entire range of *Hilfen zur Erziehung* (socio-educational provision) available¹⁹⁹ and initiate the necessary action. If the family situation changes, violence-prevention effects can also be expected. This is why parents experiencing difficulties over the upbringing of children are offered assistance at the earliest possible point, by way of the fairly easily accessible rearing support services: these are a standard provision among the various forms of upbringing assistance, and offer parents counselling and support or refer them to other institutions. The example

199 cf. Social Code Book VIII § 27. The different types of socio-educational provision are services provided by the youth services and must be applied for by the parents or carers. In planning sessions, problems are discussed between young people, parents and professionals, development goals are agreed, and the form of assistance to be taken is decided upon. The procedure reflects the importance of participation as a fundamental principle of the youth services, and it emerges clearly that the outcome of the social welfare work is the outcome of a co-production by the persons targeted and the professionals.

shows that there is a close link here between the youth services and the field of action concerned with the family.

The child and youth services also have the responsibility of acting as the official State guardian of the safety of minors. They are responsible for the protection of children and young people and has an obligation to identify potential dangers to their wellbeing at an early stage and to take what steps are necessary to avert them. Here the voluntary principle does not come into play. Where the wellbeing of children is under threat within the family, for instance, it is possible to accommodate them in a children's home or other institution. If the parents object to this, there will be no option but to involve the family courts, as they alone have the power to interfere with the parents' duty of care. Permission from the family courts is also required for placing minors in secure accommodation run by the youth services.²⁰⁰

Potentially violent young people 14-17

The youth services strategies described below are directed at young people in situations which adults consider to present a serious risk of violence. The strategies are coupled with an expectation that there will be recourse to two different sets of educational measures. One should focus on eliminating disadvantageous factors. The central concern is the development of young people into independent and socially adjusted individuals. The services offered will take account of the young people's interests, and solutions will be sought jointly with the young people involved. The second strand of the educational input comes from the youth services' obligation to help to calm the situation down: in many cases, what adults want is "a quiet life", free of disturbances as far as possible,²⁰¹ and to be shielded from both actual violence and the fear of violence.²⁰² The disparity of interests between adults and minors inevitably leads to conflict, not infrequently putting the youth services under severe pressure.

One of the youth services' central functions is to support young people in such conflicts and to de-escalate conflicts. In the services' institutions, and also in "detached" work, the aim is to take the young people's interests on board and offer assistance. The various types of help offered are primarily addressed to groups rather than individuals. They have a strong bias towards the social environment and leisure use. The behaviour of young people is to be seen – such at least is the aspiration – as a concomitant of their age, and should not be un-

200 see *Bürgerliches Gesetzbuch* (German Civil Code) § 1631b.

201 A comparable manifestation of this aspiration to peace and quiet may be seen, for example, in the quiet hours imposed in playgrounds in response to adult demand, or the widely seen prohibitions of play on the grass of public parks. Understandably, these issues often develop into acrimonious controversy.

202 An increasingly influential role here is being played by fears encouraged in the media and by the generalised fear of others generated by immigration and cultural diversity.

thinkingly labelled as “violence”, since that brings with it a risk of criminalisation. While approaches relying essentially on verbal communication are still the dominant type, there are now programmes with a more physical emphasis that cater more effectively for young people’s taste for sport and adventure.

In schools, children’s homes and youth groups, the services’ professionals and their methodology may in various ways come up against the limits of what their methods can achieve. Changes in living circumstances, increased heterogeneity of youth cultures, and new role models²⁰³ all influence young people’s behaviour. Accordingly, new programmes such as “Coolness Training” aimed at preventing or reducing violence were developed and more energetically deployed. The training sessions are carried out with young people readily capable of violence and others who have already been or are at risk of becoming victims of violence. However, those on the sidelines who may seem uninvolved are also included in the programmes, because all have to learn not to look the other way in tricky situations, but to intervene and seek to de-escalate the trouble. Programmes of this kind often work by confrontation: while the young people are accepted as individuals, they will at the same time be made to face up to their unwanted behaviour. The aim here is to stimulate the individual’s social development. A further aim, pursued in the institutional context, is to develop an ethic based on mutual acceptance and openness to peaceful ways. The courses may run on a fixed-term basis (e.g. may be week-long or measured in hours), but can also run for an extended period. They can be used from third year at school upwards.

In their efforts to de-escalate conflicts, the youth services may seek support from the public, for example at neighbourhood level, through the media or through other institutions. In its contacts with the police, for example, the services often takes pains to seek understanding for characteristic age-related behaviour by young people in conflict situations, and to diminish exaggerated fears relating to youth violence.

Detached Youth Work addresses young people 14-17 who are regarded from a civil order perspective as a nuisance, antisocial, and so in need of supervision. Their behaviour is assessed as risky and leads rapidly to social exclusion; they are seen as potentially violent. For these young people, the detached youth work service has individual and groupwork programmes and a contact role with groups and cliques. The aim in providing this support is to help them acquire new behaviour patterns, so that vicious spirals of escalation into violence are prevented. A new perspective on young people and their ways of forming groups needs to be made possible, one that normalises rather than stigmatises. The detached youth work service’s guiding principles are acceptance and voluntarism, partiality and anonymity, obligation and flexibility. Over

203 Rap music, for instance, has been propagating a relationship between young people and violence distinctly different from anything suggested by earlier musical fashions.

and above the work done with the young people, important work is carried out in the community, with obvious implications for the social environment issue.

The youth services are confronted again and again by the question of how one is to reach “difficult” target groups. The question is important because the young people do not have to take part in the programmes. Often it is a matter of (male) youngsters 14-17 associating in particular groups, cliques, “scenes”, or at particular places, the groupings or places concerned having great importance for them and providing orientation. When conflicts occur within or around these groupings, it is not always possible to determine clearly which individuals have been offenders, or victims, or witnesses, respectively. Such attempts at categorisation are highly dependent on the given situation, and there is often a so-called status exchange between offender and victim: that is to say, the offender in one situation may be the victim in another, and vice versa. The concepts developed for these young people were designed to be deliverable at the places frequented by the groups. Detached work, using (for example) dual-nationality teams – perhaps a German social worker paired with one of Russian origin – visits the groups and “scenes”, establishes contacts, builds trust, and is then in a position to offer help.

As many conflicts preceding massive violence and disorder tend to be sparked off at a trivial level and then gradually escalate, an approach aimed at early defusing of situations has been developed by the youth services under the title *Wir kümmern uns selbst!* (We'll sort it ourselves!).²⁰⁴ The aim behind this approach, which will be helped by local (and not necessarily professional) conflict-management potential, is to prevent matters from escalating up the conflict spiral and ultimately reaching the level of criminality.

The *Fanprojekte* (fan projects)²⁰⁵ are a further example of strategies that link to group interests; they came into being as the result of an imperative, universally recognised safety requirement for football matches, and aim to contain violence occurring both in and around the grounds. They aim to reach not simply violent troublemakers but also those young people who tend to be fascinated by violence and are not yet active perpetrators of violence. Part of the input in these projects is devoted to extremist mindsets and the associated prejudices, hostile stereotypes and xenophobia. The fan projects seek to enhance football fans' sense of self-respect and behavioural confidence and to stabilise the same-age peer group. Through their work they are creating a climate in which other organisations can also become involved on behalf of these young people.

Over the last twenty years, apart from some initial reservations, the work with football fans and the “detached” approaches have seen the development of a viable pattern of cooperation between the youth services and the police. While

204 This initiative is at present in the trial stage. Cf. also www.wir-kuemmern-uns-selbst.de.

205 For further details, refer to the *Koordinationsstelle Fanprojekte* (Fan Project Coordination centre) at *Deutsche Sportjugend*, www.kos-fanprojekte.de (English Website available)

public safety is the main guiding principle for police action, the youth services' concern is to enhance the interests and prospects of young people. They put on public record that even difficult young people behave generally in a manner typical of their age-group, that behaviour can be changed, and that, given support, the services are capable of opening up violence-free prospects for them.

A further strategy that has been developed, the *Ambulante Intensive Begleitung* (Detached Intensive Escort)²⁰⁶ is based on an approach used in the Netherlands. Detached Intensive Escort is directed at young people who have been in trouble because of violent behaviour and other problems (for instance records of addiction and living rough). They are regarded as “difficult”, and are not easy to approach by way of “traditional” youth services methods. In Detached Intensive Escort, a specially trained education professional – initially only on a fixed-time basis if necessary – works closely together with the young person concerned. In addition to the relationship work, building and further developing young people's personal and institutional networks is central. Detached Intensive Escort aims to stabilise young people through the changes introduced to their lived-in world and through dependable networks, and at the same time to reduce deviant behaviour and violence.

The target-group-specific and risk-specific strategies that have been described may be summarised as follows. The target groups are made up primarily of young people 14-17 rather than children, and boys rather than girls. Priority is accorded to work in groups, and the services and programmes offered do not begin by addressing violence alone, but rather, and primarily, address the lived-in worlds of the minors concerned. The youth services professionals cooperate mainly with the schools and the police. The projects tend to be launched in the wake of a problem becoming the subject of public discussion, and programmes are often time-limited.

Gender: Programmes offered are aimed non-specifically at young individuals or groups, are defined almost exclusively on an interest basis (e.g. football fan projects), and virtually never, consciously at least, by gender. But it is mainly boys rather than girls that are associated with violence, and so it is male-specific approaches that must be more intensively developed and implemented.

Immigration: Recent times have seen an ever-increasing range of approaches (such as “detached”, Gangway or the Drushba Boys²⁰⁷) for young people with ethnic background. Professional or volunteer personnel with ethnic background are integrated into the programme to supply their cultural and inter-cultural skills, open up new approach paths to the target groups, and contri-

206 Detached Intensive Escort has been trialled at five locations in the context of a model programme subsidised by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, with scientific monitoring by the German Youth Institute.

207 The project for troublesome *Spätaussiedler* (late repatriate) boys aims to bring about their psychosocial integration by strengthening their self-esteem, with the help of compulsory afternoon activities designed to educate them in the use of leisure time.

bute skills and knowledge. If the (German) majority population is to be reached, community work is important. These strategies make it possible for differing needs to be identified, understanding achieved, and areas of common ground established.

Participation: Participation eases access to “hard to reach” young people and young people’s groups, and offers an opportunity for programmes offered and interests to meet. In work with football fans or with young late repatriates, for instance, the young people’s interests are more fully addressed and are discussed in public.

Young people 14-17 causing disruption through violent behaviour

If one were to go by the public perception and reporting, violence committed by young people 14-17 has increased dramatically. The population at large feels threatened by such violence – more accurately, by “violence committed by young males”. A further public perception is that social work appears to be reaching the limits of what it can do. For the young people, most of them male, who are picked up by the police and the justice system, special strategies and one-off measures have been developed. Most of these are directed at the individual “offender” or “suspect”, irrespective of whether the violent acts concerned were committed by individuals or by groups. Even where an act has indeed been committed in a group context, this circumstance has as a rule been given little weight. “Multiple and hardcore offenders”, who are extremely few in number, are widely regarded as beyond the reach of intervention; but even here the child and youth services hold to their principle that educational approaches can contribute to the prevention of violent behaviour.

Responsibility with regard to young people who have committed offences rests in the first instance with the police and the justice system. These bring pressure to bear on the young people concerned by means of reprimands, imposed conditions or criminal proceedings. However, as the effectiveness of punitive strategies is known to be limited, the police and judiciary too give their backing to educative strategies. And here the main resource called on is the youth services. It develops the education programmes and integrates them into the criminal proceedings. As a result, there is now close cooperation between the youth services and the judiciary.

While the police and judiciary see the youth services’ role in criminal proceedings as primarily supportive rather than initiatory, the services themselves takes a different view. They see themselves as a player employing an independent strategy,²⁰⁸ though with the obligation to proceed in close consort with

208 The point is made clear in the new § 36a of Social Code Book VIII, for example, which emphasises the decision-making responsibility of the youth services.

the other partners and to accept compromises. For the services, the compromises are sometimes difficult to accept.

One particular strategy used in cooperation between the police and the youth services come into play when the police suspect young people 14-17 of acts of violence. In Saxony-Anhalt, the youth services use their *Jugendberatungsstellen bei der Polizei* (Youth Services' Advice Points at Police Stations) to offer advice to detained young people immediately after the preliminary hearing, and in this way gains direct access to those young people who are otherwise the most difficult to reach. The services can provide a first round of consultation, and where educative input is needed they can act as an intermediary with other institutions.

The aim of bringing about better cooperation between the youth services, the police and the justice system is shared also, for example, by the *Haus des Jugendrechts* (Juvenile Law Centre) in Stuttgart. The *Jugendgerichtshilfe* (youth services in youth court proceedings), police, and public prosecutor's office are all accommodated under the one roof. The benefits are not confined to shorter case durations, as cooperation is now case-specific, sustained, and better than before. A strategic improvement of this nature to cooperation points the way forward in terms of benefit to the young people.

A further youth services strategy, likewise pursued in cooperation with the police, seek to bring about diversion at an early stage in order to avoid formal sentencing of young people and thus in turn to avoid stigmatisation.²⁰⁹ This strategy is applied by the Berlin *Büro für Diversionsberatung und -vermittlung* (Office for Diversion Counselling and Negotiation). Here too, the youth services work on police HQ premises. They urge young detainees to reflect on the act they have committed and to seek ways in which amends might be made. This may enable diversion to be ordered by the public prosecutor at the preliminary hearing, or a later diversion at the main hearing²¹⁰.

The so-called "Teen Courts" recently introduced as models also use the diversion option.²¹¹ In selected cases, a panel of the same age-group as the alleged young offender will negotiate an appropriate sanction with him or her. If this process is successful, the case is dropped. In the "Teen Courts", the youth services generally play a background role, confining themselves to organising the negotiation process and safeguarding the principles of fairness and proportionality.

209 The Juvenile Courts Act (JGG) (§ 45) provides for three types of possible diversion: the case may be dropped by the public prosecutor at the preliminary hearing stage, *without* (JGG § 45 [1]) or *with* conditions (JGG § 45 [2]), and by the juvenile court at the main hearing (JGG 45 [3]). From the point of view of youth services projects, the most relevant of these is discontinuance of proceedings under JGG § 45 (2).

210 under § 45 (3) of the *Jugendgerichtsgesetz* (Juvenile Courts Act; JGG)

211 see § 45 JGG

The institutional response to young people 14-17 who have committed offences of violence, as to all offenders of this age-group, is governed by three fundamental principles:

- help takes precedence over punishment;
- informal proceedings precede formal proceedings;
- non-custodial measures take precedence over custodial measures.

If these principles are to be upheld in practice, there has to be effective co-operation between the youth services and the justice system, with the youth services designing the programmes. The youth services in youth court proceedings move promptly to request an informal disposal and takes responsibility for dealing with those granted bail. In its work at this important interface, the youth services do not emphasise the (violent) offence and subsequent punishment, instead drawing attention to the circumstances in which the young people concerned are living and the problems they face. The services develop and offer measures aimed at enabling them to manage their future lives without – or largely without – the use of violence.

In all youth court proceedings, the youth services adhere closely to the existing judicial structures. The relationship between the education professionals and the usually male alleged young offenders is intended to open the way to co-operative work guided by the young persons' abilities and personal resources, not by their failings. For this to be possible, the professional worker concerned has to be capable of self-reflection, of analysing his or her own experience of violence, his or her own gender role, cultural background and life experience generally.

When a young person is found guilty of a violent offence, it is common for the following measures to be implemented:

Social Training Courses are for offenders 14-17 and some of the 18-20 who have been found guilty of a fairly serious offence²¹² and have been referred on the direction of a juvenile court. The intention is that the course should above all prompt them to look critically at themselves and their situation, to reflect on their relationship with violence and drugs, and on their problems in the family, at school or at work, or with partners. Social Training Courses address the lived-in world of the young people who attend them, and are now widely recognised by professionals as an alternative to community service, fines, or custodial measures. Course providers do use different methodologies, but “integration” and “confrontation” are uniformly accepted to be guiding principles. Here too the general principle applies: it is not the person that is rejected, but the violent behaviour. The idea is that the young people addressed should learn to live without violence or with the minimum possible violence. They learn to respect rules and norms, to think before they act, to improve

212 This term generally indicates actual bodily harm or other offences involving violence.

their capacity for reflection, to take on responsibility, to develop their self-esteem, to use more ways of expressing themselves, and to resolve conflicts without using violence. The strategies by which they justify violence are exposed. Courses are limited to about ten participants; the course lasts a few weeks, and a contract is agreed between provider and course participant. Experiential education is frequently among the programmes provided. Its use with young offenders has suffered unwarranted obloquy in the public arena on grounds of allegedly “rewarding” offenders. The reality is that experiential education makes it possible to address young people who otherwise would be virtually beyond reach. As it is, they can experience success and self-esteem along with others in a group. Social Training Courses have been undergoing continuous further development over the last twenty years; and in the 1990s the *Bundesarbeitsgemeinschaft Ambulante Massnahmen* (Federal Working Group on Non-Custodial Measures) within the *Deutsche Vereinigung für Jugendgerichte und Jugendgerichtshilfen* (German Union for Juvenile Courts and Juvenile Court Help inc.) prescribed minimum standards.

Anti-Aggression Training likewise emphasises the principles of acceptance and “confrontation”. This offence-specific, cognitive learning theory-based method for aggressive repeat offenders employs a curriculum and seeks to reduce readiness to commit violent acts. While in the “hot seat”, subjects are deliberately provoked, and confronted with their attempts to play down the act committed, their justifications, the consequences of their act – and their contradictions and weaknesses. The intention is that these young men²¹³ should learn how to handle provocation, and how they can react more calmly and circumspectly. The methodology targets young people 14-20 who have been found guilty on more than one occasion of offences involving violence, who often fight and seem to relish treating violence as a solution to problems, who seek selectively to exercise power over others, and who are easily roused to anger. Anti-Aggression Training is delivered in four phases: first, confrontation with the violence and its consequences; then the “hot seat”, and later the process of reflection on responsibility and guilt, and on self-perception and perception of others; in the final phase, attention turns to the question of facing the future.

An alternative to groupwork approaches is offered by the juvenile court recommendations for social-cognitive individual training. A manual has been developed for this training system, and the trainers themselves are being specially trained for their role.²¹⁴

A further interface between the youth services and the justice system always becomes apparent when the issue arises of avoiding or reducing periods spent in custody awaiting trial. No matter how serious the allegations, detention on

213 These programmes operate almost exclusively with young males. Only a few courses cater for girls.

214 Cf. www.denkzeit.com; cf. also Körner 2006 and Drewniak/Peterich 2006.

remand is only to be used as a last resort, as it is thought to be the most harmful of all forms of imprisonment. The Juvenile Courts Act explicitly provides for the possibility of accommodating alleged young offenders in suitable institutions run by the youth services. The advantages of doing so are many: the young people concerned are spared the negative experiences associated with custody; they are not removed from their everyday life and can continue to attend school or training courses, or to work. In the institutions provided as a means of avoiding remand, professional counsellors can work with the young people on their conflict-situation behaviour, seek a mediation with the victim, or make contact with networks in which the parents or the young people can find support. Guidance in making structured use of time prepares the young people for the future requirements of training courses and employment. Any incipient positive developments observed during time spent at these institutions may be taken into account by the juvenile court. Thus even after serious acts of violence have been committed there remains some prospect that custodial youth sentences – which have been shown to have high recidivism rates – may be avoided. In this way, avoidance of imprisonment comes to have a preventive function. It is therefore important that this strategy should continue in future to be used and further developed, even in face of the fact that debate on funding and on the design of the institutions (the issue of whether they should be open, semi-open or closed) has to date precluded expansion of the existing provision.

In its work with these young people, the youth services partially relinquish their voluntary principle for the sake of cooperation with the sanctioning system. Participation by the young people is at best only semi-voluntary, as the alternative threatens worse things. The youth services are aware of this, and whenever they use this “additional motivation” they have to balance a complicated set of tensions.

The *Jugendgerichtshilfe* (youth services in youth court proceedings) is a part of juvenile court procedure. The services provide the court with an account of the young accused’s personality and development, and introduce educational perspectives into the proceedings; in this way they influence the juvenile court’s decisions. These opportunities are used variously, differing by region and responsible organisation, and/or by the gender or ethnic affiliation of the young person(s) concerned. In addition, the youth services’ role in relation to criminal proceedings includes important responsibilities during any period of custody: they have to prepare for re-integration.²¹⁵ Once sentences are being served, however, such opportunities are considerably more limited. Then, finally, there is the services’ responsibility after completion of a sentence. If strategies aimed

215 Berlin and Hamburg have a special service known as the *Jugendbewährungshilfe* (youth probation service) dedicated to this task and likewise accommodated in the same premises as the child and youth services.

at resocialisation are to have any serious prospect of success, they must be initiated early in the period of custody, and the transitions from “inside” to the outer world have to be managed on a step-by-step basis: the measures required range from relaxations in the regime – for instance an open detention centre and outside work – to (re-)building of social networks and the resolution of everyday practical issues. In all these matters, cooperation between the youth services and the youth penal institutions is of central importance.

The strategies relating to young persons 14-17 who have called attention to themselves by acts of violence may be summarised as follows. Most of them are highly case-specific and concerned with actual violent behaviour. Accordingly they tend to focus on individuals’ failings rather more than on their strengths. The youth services’ principal partner agency is the justice system, which now accepts the youth services’ education programmes even for difficult cases. Both services accept that educational help takes priority over punitive sanctions.²¹⁶

Gender: The available programmes in most cases address young people 14-17 in general, all but a few of them disregarding gender-specific considerations.²¹⁷ Yet this aspect urgently needs attention, since in relation to acts of violence it is very largely young males that come under suspicion, are prosecuted, and are sentenced.

Immigration: There are now special programmes available (both long-running programmes and one-offs) for young people with ethnic background. Those most deeply committed to this area are the Independent Providers, who are often called upon to specialise. However, there continues to be a need for further development in this area too.

Participation: As a rule, active participation by minors in the design of programmes offered declines both with the intensity of the violence and with the degree to which specific measures address violence. It continues to be a challenge to bring about participation even in difficult situations. Experience from other areas of youth services shows that programmes strong on participation usually work better than others.

2.3.2.3 Strategies of Victim Protection

To date, potential and actual young victims of violence have virtually never been regarded in the youth services as a target group. Victim-focused strategies cannot be said to have amounted to more than some embryonic beginnings. Also, there are difficulties in demarcating between this area and the two preceding, “offender-focused” sections, because of the status exchange between

216 However, this long-term development trend may be slowed as a consequence of the current debate about the new § 36a in SGB VIII.

217 Among the few exceptions is the Girls’ social Training Course.

offender and victim that was mentioned there. Strategies like victim-offender mediation could be covered in either section. However, separate treatment was preferred, because this perspective has hitherto received little academic attention.

Victim-focused prevention of violence represents a challenge in a number of ways for the youth services. To begin with, the “deficit” role that is ascribed to the victim during the education process continues to suggest negativity. For young males in particular, the victim is a weakling, virtually becoming a taboo figure. Among young people, the term “Opfer” (victim) is currently a serious insult: no-one wants to be the victim, neither boys nor girls. Professional and academic discourse on the topic is responding with a switch of terminology: a number of contributors are now referring to “injured parties”. While the terminological debate is not an irrelevance, the central point remains that almost all young offenders have also been the victims of violence. It is thus important strategically to relate the victim-offender status exchange to current scientific knowledge and to see young people 14-17 holistically. In many individual cases, reduction to victim or offender is simply inadequate.

A new strategy of victim-focused violence prevention was developed in the course of work aimed at combating right-wing extremism. It starts from a location-linked observation and targets young people who fear becoming the victim of attack at certain places and consequently avoid these places. A local study identifies these “fear zones” (which may be districts, urban open spaces, times of day, situations, types of violence threatened, or actual experience of violence, etc.), in order to heighten awareness of the phenomenon and open it up for public discussion. The next step, undertaken jointly with the young person (for purposes of empowerment), is to alter the fear zones. Group-focused types of work such as workshops and “future workshops” are used for the purpose. Other approaches that can be integrated into the methodology are constructive conflict-resolution techniques, or self-assertion and self-defence courses for specific target groups (e.g. girls).

Work to combat right-wing extremism also includes programmes of individual help for victims of violence where the violence involved is of racist or right-wing extremist origin (► Ch. 2.3.3). However, it remains a challenging undertaking to provide low-threshold programmes for young victims of violence to enable them to come to terms with their experience of violence.

Mediation between Victim and Offender, being a form of restorative justice, is right at the interface with the justice system, and could thus have been mentioned earlier in the context of offender-focused approaches. Although victim-offender mediation in Germany tends to be deployed mainly in educational work with offenders, it is important that its links to the victim, in particular, should be clearly shown. And it is just here that a conscious effort should be made to emphasise the victim aspect. It is interesting that those German

federal states that place relatively strong emphasis on “restorative justice” are also those that, at least linguistically, in the term “victim-offender mediation”, put the victim first. For victim and offender alike (both usually male, young, and possessing experience in both roles), this strategy is helpful. It is made easier for the victim to come to terms psychologically with the act committed and can reduce fear, while for the offender the confrontation with the consequences of his offence does not permit any strategies of neutralisation. It is possible to learn. The (symbolic) act of restitution shows that alternatives to punishment are possible. From the point of view of the youth services and the justice system, victim-offender mediation needs to be further developed, even if funding currently remains contentious.

The few existing strategies for victim protection are addressed to individual young people, not to groups. Access to them is difficult; working with the “victim” is still taboo – sometimes, indeed, associated with attempts to pin the blame on the victim. Additionally, use of the victim concept brings with it a risk of stigmatisation. In this area, the youth services cooperate primarily with the judiciary and the police, and the programmes are usually initiated in response to a problem becoming a matter of public interest. They are often of a fixed-term nature.

Gender: It is essential that gender-specific considerations should be taken into account, because the process of coping with the victim experience and the fear of violence are not the same for boys and for girls. Boys, prevented from showing weakness among their peer group, tend to repress feelings, while girls are in general likely to be receptive to single-sex group programmes.

Immigration: In the process of coping with the victim experience, cultural background plays an important role. Problematic forms of coping, such as the restoration of honour, have gained in significance. Insults are perceived by children and young people as a form of verbal violence; they may hit harder than physical violence and can provoke escalation. Relevant intercultural expertise and sensitivities are essential.

Participation: Participation is perhaps the most promising way forward in dealing with the taboo topic of victimhood. The experiences and judgments of young people themselves can open up new approach routes and make it possible to proceed with clear aims in mind. They are then no longer passive, isolated victims, but have become active subjects, helping to shape their lived-in world, and the topic has become a public one.

2.3.2.4 Violence Prevention through Information, Qualification, Counselling, Training, Advanced Training and Continuing Education, Coordination and Research

The strategy of violence prevention through information, qualification, counselling, coordination and research operates so to speak on a higher level. The plethora of specialised approaches operating at the local level and the difficulty of achieving an overview have led to a situation in which structural arrangements have increasing importance for the exchange of ideas.²¹⁸ The first essentials are to secure an overview of local projects, programmes and working approaches and make it accessible. The next priority is to arrange for informed debate to take place. At present this task is being undertaken by institutions at regional (level of the different federal states) and national level. At regional level the institutions most directly involved are the *Jugendschutzstellen* (youth protection agencies); at national level they include, for instance, the *Koordinationsstelle Fanprojekte* (Fan Project Coordination centre)²¹⁹, the *Deutscher Präventionstag* (German Congress on Crime Prevention), and the *Arbeitsstelle Kinder- und Jugendkriminalitätsprävention* (Centre for the Prevention of Youth Crime) of the *Deutsches Jugendinstitut* (German Youth Institute). Then, providing information exchange, some at institutional level, and relevant education, there are the crime prevention councils at local and regional level, the *Deutsches Forum für Kriminalprävention* (German Forum for Crime Prevention), various professionals' organisations (e.g. the German Union for Juvenile Courts and Juvenile Court Help inc.), further education institutions and universities.²²⁰

The provision of information, qualification, counselling and advanced training needs to be supplemented by more evaluation than at present. Here practice-oriented research can make a contribution.

2.3.3 Excursus: Violence Prevention in the Context of “Right-Wing Extremism and Young People”

Within the wide range of out-of-school programmes offered by the child and youth services, a role that is special in a number of ways is played by the projects and strategies targeting right-wing extremist, general xenophobic and anti-Semitic perpetrators of violence.

The first point is that these offenders are regularly in the spotlight of public and political attention. Particularly in the aftermath of outbreaks of violence – mainly of xenophobic character – involving young people, or of *NPD* (right-

218 On more than a few occasions, problem-solving endeavours at different locations could be seen to have led to the proverbial reinvention of the wheel.

219 For further details, refer to the *Koordinationsstelle Fanprojekte* (Fan Project Coordination centre) at Deutsche Sportjugend, www.kos-fanprojekte.de (English Website available)

220 Cf. e.g. www.praeventionstag.de, www.dji.de/jugendkriminalitaet, www.dji.de/youthcrime, www.kriminalpraevention.de, www.dvjj.de.

wing nationalist party) election successes, as for example after the autumn 2006 parliamentary elections in the Federal State of Mecklenburg-Vorpommern, or of campaigns by right-wing comrade associations and other groupings, the debate on appropriate countermeasures predictably revives. From the point of view of the programmes and projects, and of the professionals engaged in running them, the surge of attention has effects that cut both ways. While they indicate that the work being done enjoys a certain measure of esteem – though this tends to fade after a time – they also often have the negative effect of generating a welter of generally unfulfillable expectations from outside and also within the projects themselves.

Secondly, these projects occupy a special category. More transparently than others in the same field, they refer to a single central phenomenon as the reason and starting-point for their work, namely right-wing extremist, xenophobic and anti-Semitic attitudes and the concomitant ideas regarding superiority and inferiority, masculine stereotypes, and an acquiescent attitude to violence. This focus in their work is confirmed by empirical studies that have repeatedly documented a strong correlation between xenophobic attitudes, specific stereotypes of masculinity, and the propensity for violence.

At the same time, however, these studies also confirm that simplistic assumptions of the type “right-wing extremist, anti-Semitic, xenophobic equals violent” are invalid. From the case histories analysed in the studies concerned, involving alleged offenders, those found guilty of xenophobic violence, and xenophobically inclined young people 14-17, it emerged that apart from the (generally rather diffuse) ideological background certain factors recurred:

- specific situational constellations, characterised principally by large quantities of alcohol and a high potential for escalation;
- the quality of intrafamilial relationships and the associated emotional experiences acquired in childhood;
- a history of aggression, starting early in life and acquiring subsequent ideological reinforcement through the individual’s absorption into juvenile cliques.

In other words, right-wing and extreme right-wing attitudes, ethnocentricity, xenophobia and anti-Semitism in young people, for all their inherent emphasis on inequality and on acceptance of violence, do not of their own accord necessarily lead to violent acts. This is demonstrated by, among other things, the fact that endorsement of extreme right-wing positions far exceeds the number of young persons 14-20 and young adults with a propensity to violence.

These now heavily documented interweaving influences from family socialisation experience, personality development, schooling experience, out-of-school opportunity structures, adolescence-related crises, insidiously developing careers in delinquency and violence, diffuse ideological indoctrinations, all leading up to fragile employment careers, are the background to the dearth in this

field of projects and strategies that primarily and rigorously address the violence-prevention aspect as such. The approaches that come nearest to meeting this specification are those that operate in the area of supervision and care in the context of diversion measures and/or during and after custody periods in the form of intensive educational or therapeutic measures pursued with violent extreme right-wing and/or xenophobic young people.

What one finds instead is a broad spectrum of strategies that are violence-preventive in intention in so far as they seek to prevent or reduce violence motivated by extreme right-wing, xenophobic or anti-Semitic attitudes, whether they do so indirectly – e.g. through reinforcing the underlying structures of democracy and civil society – or directly, through close engagement with young people representing the attitudes in question. Currently the following predominant strategy types may be identified:²²¹

- **Counselling:** The emphasis here, apart from person-centred individual case counselling for parents and relatives of young people who identify themselves with the extreme right-wing scene or show such tendencies, is on preventive and interventionist counselling in communities (“Community Coaching”). There is also counselling support for the processes of self-organisation: the setting up of parental self-help groups and the building of networks to enable professional social workers to consult with colleagues on individual cases.
- **Encounters:** The aim behind this strategy is the use of one’s personal experiences to build up a detailed, well-founded picture of the current life situation and/or life history of other people. Conceptually this strategy relies heavily on face-to-face experiences as exemplars, looking to these to become the departure point from which further-reaching learning experiences will develop. The main thrust is in encounters in groups of young people brought together on an intercultural and multi-religion basis with professional workers, of whom some are of Muslim or Jewish background. In addition, contemporary witness is sought from e.g. Holocaust survivors or wartime Resistance members, and dialogues are conducted involving young people and others (for instance by interviewing passers-by who differ from the participants in origin, religion, age, sexual orientation and the like).

221 The following categorisation and some of the formulations are based on the results of the scientific studies undertaken in parallel with the nationwide *Entimon* and *Civitas* programmes, and have been supplemented merely by addition of the strategy of working with right-wing youth groups, which did not form part of those programmes. Important findings relating to this field have been published in 2007 in the final Reports of the scientific studies accompanying the *Civitas* and *Entimon* programmes. The overview given here of the current principal strategies in this field needs to be supplemented by reference to the work of the *Verfassungsschutz* (Federal Office for the Protection of the Constitution), the police, and the judiciary in this field. Apart from surveillance carried out by the Federal Office and criminal proceedings against the extremist Right (the scene), the so-called drop-out programmes deserve mention as a major strategy.

- Education and Sensitisation: Although this is at first glance perhaps an unusual way of categorising project strategies, it follows from the fact that education-centred projects are now increasingly not simply aimed at reflective activity and emancipation, but seek at the same time to address all the participants' senses. The aim is to avoid relying on the cognitive level, and to appeal to the emotional and action levels in particular. Initiatives in education and sensitisation are attempted in varying degrees in all fields of practice concerned with the underpinning of civil society and democracy on the one hand and with confronting right-wing extremism, xenophobia and anti-Semitism on the other. This strategy includes a thematically structured educational package which promotes non-violent, democratic conflict management, delivers gender-sensitive, anti-racist teaching, brings about intercultural and inter-religious learning and seeks to support learning formats in the context of the prevention of anti-Semitism. Forms of qualification (continuing and extended education) as preparatory stages for changes in institutional structures and educational scenarios belong to the spectrum of educational work, as does the development of educational material for the methodological and didactic task of activating the processes of cultural formation and learning. Continuing and extended education go beyond the traditional range of education of the young, because in professionalising the recipients they work towards the goal of multiplying knowledge and thus potentially addressing a wider target population.
- Networks: These strategies aim to create dependable cooperation structures where they are needed for the underpinning of commitment to civil society and of intellectual confrontation with right-wing extremism, xenophobia and anti-Semitism. In addition to networks within society in which local initiatives combine, mention may be made of: professional networks facilitating inter-colleague consultation and exchange, and topic-specific continuing and extended education; and virtual networks creating information, communication and presentation platforms for purposes of linking up young people and multipliers, also projects. In this context, finally, an increasingly important role is being played by the Local Action Plans, an instrument originally developed in connection with a programme entitled *Entwicklung und Chancen junger Menschen in sozialen Brennpunkten* (Development and Opportunities for Young People in Deprived Urban Areas), extended in scope in the *Lokales Kapital für soziale Zwecke* (Local Capital for Social Benefit) programme, and used in the programmes directed against right-wing extremism, xenophobia and anti-Semitism. Local Action Plans are instruments which facilitate the convening in local areas, and with due regard to the prevailing wider circumstances and to differing interests and viewpoints, of talks to be held on a cooperative basis, i.e. actively involving the relevant local players, with a view to reaching agreement on realisable

goals and intermediate work targets – on such issues as the stance to be adopted vis-à-vis extreme right-wing groupings.

- Working with right-wing youth “scenes” and youth groups: In the early 1990s, the central strategy in issues of youth and right-wing extremism was still to aim the social work effort directly at right-wing young people with a view to changing their attitudes and behaviour patterns. As shown above, the emphasis has now shifted. Right-wing extremism is now seen as a political and social problem which is best combated by political and social strategies. The shift in emphasis has reduced the pressure of expectation on those engaged in social work with young people. Nevertheless, they still face the challenge of finding out how best to work with young right-wingers. In order to reach young people who are in danger of drifting into the extreme right-wing “scene”, youth workers still have to use “detached” and “outreach” approaches. The basic philosophy is to start off from the problems they have and leave it until later to tackle the problems they cause. So that a relationship with them can be developed, they are accepted as an individual, even if their (violent) behaviour and their (extreme right-wing) attitudes are not accepted. This type of youth work is demanding and difficult, and as experience during the 1990s has already shown, success is far from certain.²²² Thus, for example, it makes a lot of difference whether right-wing youth “scenes” exist on the fringes, or whether in a given community the dominant mainstream is right-wing, with the consequence that youth work aimed at right-wing young people if anything tends to stabilise this “scene”. Provided that the methodology and the content have been carefully planned, youth work with young right-wing sympathisers is an important strategy for reaching out to young people who are at risk of drifting into extreme right-wing “scenes”, and avoiding simply leaving them to be approached by right-wing organisations. These strategies, like the other strategies enumerated above, need to be further developed using the same principles, and should be deployed wherever their use is justified.
- Victim Counselling: This approach, which was trialled and implemented very recently in the context of the *Civitas* programme (Initiative against Right-Wing Extremism in the Eastern German States), seeks to support individuals who have been the victim of a violent act of right-wing extremist, xenophobic or anti-Semitic origin, and where necessary to help them come to terms with their often traumatic experiences. There are also many projects whose business is to offer counselling, in the context of the victims’ experiences, to members of ethnic, cultural and social minori-

222 Detailed discussion of the issue is not possible here, but the reader is referred to the debate on “accepting youth work”, which was conducted at times with high passion and could take on a highly ideological flavour – and still continues even today.

ties who could potentially become victims of extreme right-wing violence or are indirectly affected by it.²²³

- In their examination of these preventively conceived strategies for young people, a number of the authors cited above have contended that in view of the empirically confirmed great importance of early socialisation in this field the strategies for young people taken alone would not be adequate for purpose. Two points are advanced in support of this contention. First, it is argued that the offenders' observable "emotional hardening" would have necessitated their getting early and individual attention and appropriate action. Second, it is clear from observation of the central importance of the emotions – in the form of aggressive feelings and fears of all kinds – that many of the educational schemas in this field were and are too cerebral, too focused on cognitive approaches.

2.3.4 Conclusion and Challenges

In the report of the Violence Commission of 1990²²⁴, the violence-prevention programmes offered by the youth services were accorded little more than marginal significance. One reason for this may have lain in the terms of reference laid down for the report and the way it was structured in consequence: the youth services are mentioned under "Violence on the Streets" and "Violence at Stadiums", but unlike schools, the family, or the media, are not accorded a chapter of their own. However, the report did call for a general stepping up of youth work, and to this end made four recommendations for prevention of violence on the streets and urban open spaces. What this implied, even then, was an extension of programmes already available, especially for target groups that were at risk. Notably, it was already being suggested that young people should be given a greater role in shaping their living environment. Another point clearly brought out at the time was the importance of cooperation between prosecuting authorities and welfare organisations – though only in the context of violence within the family. On the issue of the law relating to young offenders, the recommendation was for increased provision of non-custodial social education measures and for victim-offender mediation. In the case of football violence it was suggested that all major clubs should appoint a pedagogically qualified commissioner for fans.

This brief review of the report's recommendations illustrates the impressive development in violence prevention in the child and youth services. Strategies and approaches have increased appreciably in number and have become more finely attuned to needs. Football fans projects, for instance, are now firmly established and have created their own independent structures. Schools, police

223 Cf. published material from the academic study conducted in parallel with *Civitas* (Initiative against Right-Wing Extremism in the Eastern German States), www.jugendstiftung-civitas.org.

224 cf. Schwind/Baumann 1990

and judiciary have accepted the youth services in the area of violence prevention (and in other areas) as a natural – if not always easy – partner agencies. Youth services work is indeed “not always easy”, mainly because it regards violence at the growing-up stage for both children and young people as an indicator of difficulties. This distinguishes its approach from the public portrayal and reception of the issue, in which, particularly after spectacular incidents, the deed and the minor’s development are separated, and the environment and conditions in which the offender has grown up remain largely unexamined. But if violence prevention is to succeed, it will be important in future to avoid separating the parts in this way: they need to be brought together in the person concerned. Greater attention than in the past needs to be paid to circumstances that are currently still treated as peripheral: gender, and cultural background. It will be necessary in future to operate on two levels when pushing development forward and marshalling resources. On the one hand, the discontinuities associated with project-linked funding must wherever possible be avoided, and structures designed for the longer term put in place; at the same time, however, there has to be support too for approaching the problems by way of specific projects and programmes because of these formats’ potential for fostering innovation. Participation by young people in difficult constellations of circumstances remains a major challenge – not only for the young people concerned. While many organisations in Germany, representing many different interests and life philosophies, from the Catholic Rural Youth Movement to the trade unions’ youth sections, from *Caritas*, a Catholic charity, and its protestant counterpart in Germany, the *Diakonie*, to the *Arbeiterwohlfahrt* (an independent charity based on the workers’ movement), are full participants in the prevention strategies, the organisations representing immigrants are still largely uninvolved.

A further area of shortfall is in victim-centred strategies. Like the actual victims of violence, young people who fear becoming victims and consequently avoid particular zones need support in overcoming their victim experiences and “re-occupying” the avoided ground. Victims must not suffer secondary, individualised victimisation imposed by implicit blame for what happened.

A different type of challenge is posed by the further development and due qualification of cooperative partnership structures, whether within the youth services or involving external partners. While progress has certainly been made over the last two decades, cooperation has not ceased to be a challenge; it presupposes considerable familiarity with the rationales underlying the partners’ action policies. Structurally and in personnel terms, cooperation needs to be more securely founded. This applies particularly to “difficult” cases, where several institutions are involved and the tendency to offload responsibility can be frequently observed.

Lastly, evaluation too is on the work agenda for the youth services. As violence prevention within the services is organised on a local basis and also evolves continuously, and as nationwide programmes are few and far between, a first step must be to clarify the broad premisses under which violence prevention operates, its concepts, project aims, and programme rationales. With the help of feedback from evaluation studies and interaction between the participants, working practice can be proactively developed in a continuous planning process. The object must be to ensure that knowledge gained in this way from individual project experience can be disseminated throughout professional practice at large. There is little prospect at present that the numerous assurances regarding documentation of effects can be honoured. One of the reasons why such documentation is peculiarly demanding methodologically in the area of social services in particular is that effects result from co-production by recipients and youth services professionals. A further problematic factor is that measures undertaken by the youth services usually address only a part of the lived-in world of the young people addressed. While this is not the place for a detailed discussion of the methods or potential benefit of evaluation, it needs to be said clearly that it is not going to be possible to fulfil expectations that rapid-effect programmes can be identified.

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2.4 Strategies for Police Violence Prevention in Childhood and Youth

Preliminary Remarks

The police, and therefore also police crime prevention, in particular fall under the jurisdiction of the *Länder* (federal states). Consequently, the strategies, concepts, and measures as well as organisational, personal, and financial conditions are diverse. However, it would extend far beyond the scope of this chapter, purely in terms of space, to give an account of the respective strategies for violence prevention in childhood and youth in the *Länder* and the *Bund* (the German state at federal level).

Hence the following discussion refers especially to those strategies, concepts, and measures for violence prevention in childhood and youth, which were developed within the framework of the *Polizeiliche Kriminalprävention der Länder und des Bundes* (Police Orientated Crime Prevention by the Federal Government and the States), and are coordinated and put into practice across the regions (at interstate level). Nevertheless, since not all areas of violence prevention are associated with such strategies all over Germany, and given the particular importance of strategies at the regional (*Land*) level, reference is also made to individual federal states as exemplary cases.

Police Crime Prevention across the regions was reorganised on 1 July 1997. The activities of the *Polizeiliche Kriminalprävention der Länder und des Bundes* (Police Orientated Crime Prevention by the Federal Government and the States) were established under the working group for “Internal Security” of the Standing Conference of the Ministers and Senators of the Interior for the federal states, and comprise project management, the *Kommission Polizeiliche Kriminalprävention* (Police Crime Prevention Commission) and the Central Office. Within the strategic tasks of project management, the Commission undertakes conceptual casework, and its representatives are from all sixteen federal states, the German State at federal level, and the German Police University (in formation). The members have specialised in crime prevention topics (overall in 25 areas of work); basic and updated information on these areas of work is available to all Commission members via the police extranet.

A central part of the *Polizeiliche Kriminalprävention der Länder und des Bundes* (Police Orientated Crime Prevention by the Federal Government and the States) is the *ProPK Programme*²²⁵. Its mission is to inform the public, multipliers, the media, and other crime prevention organisations about the different manifestations of

225 *Programm Polizeiliche Kriminalprävention der Länder und des Bundes* (Program for Police Orientated Criminal Prevention by the Federal Government and the States)

criminality and the options for its prevention. This is made possible, among others, by crime prevention press and public relations work, mass media publications as well as the development of measures and concepts to support the prevention work of local police stations.

Within the framework of this programme, the majority of strategies coordinated all over Germany are developed and put into practice, as well as being available to police forces in the federal states and the German state at the federal level for their advice and prevention work, for instance, in the form of brochures, leaflets or films.²²⁶ Over and above this central service on offer, the federal states and the German state at the federal level implement independent prevention strategies to varying degrees.

The police strategies for violence prevention – as for the entire field of police action – are influenced by social, and especially criminal policy developments, and are subject to ongoing change. The extent to which they have changed over the past nearly two decades is clear by comparison with the expert report on the “Independent Governmental Commission on the Prevention and Control of Violence” published in 1990²²⁷, and here in particular the expert report of the Sub-Commission V – Community Policing – “*Verhinderung und Bekämpfung von Gewalt aus der Sicht der Polizeipraxis*” (“Prevention and Control of Violence from a Community Policing Perspective”) dated: Spring 1989; further citations below refer to Sub-Commission V.²²⁸

226 The sources for joint strategies, concepts, and measures are the print media published by the ProPK (Program Police Orientated Criminal Prevention), including the Handbook for Police Practice “*Prävention auf einen Blick*” (“Prevention at a Glance”) and the annual reports of the Kommission Polizeiliche Kriminalprävention der Länder und des Bundes (State and Federal Police Crime Prevention Commission). The “*Leitlinien Polizeiliche Kriminalprävention*” (“Guidelines for Police Crime Prevention”) of 1998 are the basis for these strategies and also mandatory across the regions, as well as the advice on crime prevention in the Police Regulation 100 “*Führung und Einsatz der Polizei*” (“Police Leadership and Deployment”) (1999 edition).

227 Violence Commission, cf. Schwind/Baumann 1990

228 The reference to this expert report gains further significance because the Coordinator of Sub-Commission V, Alfred Stümper, President of Police for the State of Baden-Wuerttemberg – as the then Chairman of project management for the ProPK(Police Orientated Criminal Prevention) predecessor programme – was responsible for the area of Police Crime Prevention coordinated all over Germany and across the regions.

2.4.1 Crime prevention as a police function

The functions of the police are defined in German law and statutes. “They include in particular

- averting danger including danger prevention and preventive control of criminal offences and breaches of administrative rules
- prosecution of criminal offences and breaches of administrative rules (...).

The police have to guarantee public safety and civil order in the first instance by preventive measures; and initiatives should be taken to promote this purpose. If necessary, priorities should be decided for exercising these functions; in principle, averting danger is to take precedence over criminal prosecution”²²⁹. This priority is derived from the principle of citizen-oriented police work, the vital importance of the public’s protection from crime and the recognition that it is more sensible not to allow criminal offences to occur in the first place, as opposed to the greater effort of prosecuting them at a later date.²³⁰

Crime prevention is understood by the police as a duty to perform for society as a whole, for which not merely the police, but above all politicians, other governmental and non-governmental agencies, business, the media, as well as the general public are held responsible and must make their specific contributions.²³¹ Within the framework of crime prevention for society as a whole, police crime prevention is the duty of all police officers.²³²

2.4.1.1 Conditions of police violence prevention²³³ in childhood and youth

Objectives and conception of police violence prevention

This report interprets police violence prevention as the prevention or reduction of violent action towards or by children and young people (see chapter 1.2.3 “Concept of Strategy”). These objectives should be achieved through functions performed independently by the police, and with the co-active involvement of other parties responsible for prevention measures. An important target group are parents and legal guardians as well as multipliers active in prevention work. The preventive functions to be performed independently by the police are oriented, on the one hand, towards the situative or specific prevention approach,

229 see Police Regulation [PDV] 100, 1.2

230 The Sub-Commission V also viewed the matter in 1989 as follows: “The maxim must be that it is less important to punish committed acts appropriately, quickly, and fully than rather to prevent the occurrence of violence” (margin no. 329).

231 The extent to which other providers responsible for prevention now also view the issue in this way is not least made clear by this report on the strategies of violence prevention in the individual fields of action. See also the arguments in the introduction, ch. 1.1

232 see Guidelines; PDV 100

233 To prevent any potential misunderstanding: the police have no specific violence prevention strategies; rather, these correspond to or arise from the generally applicable and valid strategies of police crime prevention.

and are aimed at reducing the opportunities to commit an offence; in particular by

- compiling criminality situation reports,
- police presence adjusted to the situation,
- security technology and behaviour-oriented advice, and
- crime-preventive public relations work.

Furthermore, preventive duties are also oriented towards the functions and objectives of juvenile criminal law. In this case, at the forefront is the prevention of other criminal offences by those young people, who have already attracted attention to themselves for violence and have been recorded by the police.²³⁴ This is the “basis for modern police youth social work that also takes into consideration the latest criminological findings. For the police, especially in the field of youth work, the valid principle is: “Prevention comes before repression”²³⁵.

In police youth social work, the transitions between the broad situative-preventive outline of youth contact work and the repressive-preventive outline of youth casework is fluid, and overlaps occur.²³⁶

The prevention of criminal offences by generally supportive measures with a potentially preventive effect, for instance, in the field of social prevention – such as education, teaching values and training, prevention of deficiencies in personality training or removal of social disadvantages – is not an original function of police violence prevention. Here, at best the police can have an indirect influence; and in particular, they can make available to other authorities and institutions as well as political decision-makers their findings and insights into individual and social problems gained in the context of carrying out their functions.

Thus, alongside exercising their independent functions, the police mission is to become co-actively involved in the prevention measures of other responsible organisations. Since the police as well as the judiciary – unlike, for instance, local authority bodies, school and out-of-school institutions, parents or others involved in prevention – have explicitly been allocated criminal and thus also violence prevention as a specific function (“original competence”), they have an obligation to integrate this into the actions of others. To be “co-active” in this sense above all means the obligation to refer other responsible parties to problems relevant to violence, to provide the necessary police information, and to work towards joint prevention measures.

234 see ch. 2.5.1 “Criminal Law” and PDV 382 “*Bearbeitung von Jugendsachen*” (“Processing Youth Matters”), 1995 edition

235 from the introduction to Police Regulation (PDV) 382

236 cf. Dietsch/Gloss 2005

Children and young people as a target group of police violence prevention

The most important target group for police violence prevention are children and young people as victims, witnesses, and offenders who have committed criminal actions. These children should be addressed either together with partner agencies such as schools or youth social work and youth services institutions or indirectly through the legal guardians.

The preferred approach for police violence prevention within the framework of the *ProPK* (Police Orientated Criminal Prevention) is not “a direct conversation” with the children and young people personally, but informing and educating the originally responsible individuals and institutions such as, for example, legal guardians or the school with the assistance of the *ProPK* brochure entitled “*So schützen Sie Ihr Kind*” (“How to Protect your Child”). The police aim is to support those responsible and actively involved in prevention “from the outside”, so that they can competently carry out their educational and training work on violence prevention.

In accordance with the police approach to prevention, which is oriented towards cooperation and support, the concepts as well as the informative material made available are basically developed with the relevant – especially educational – professionals, and if necessary coordinated with the relevant committees and the sector-specific Conferences of Ministers (such as the Standing Conference of the Ministers of Education and Cultural Affairs of the federal states). Whether and to what extent the concepts and material are used is decided above all by partners outside the police who are originally responsible.

On the concept of violence

The assumption is that violence always occurs if an individual is harmed by bodily or psychological injury or when material property is damaged. Actions causing damage by and to children and young people are – in the terminology of criminal law – bodily, psychological, and sexual abuse, actual bodily harm, threats, coercion, extortion and robbery offences, and also defamations. This also includes violence against property or criminal damage to property.²³⁷

However, since in the report as a whole violence is principally understood as damaging action deliberately directed against individuals, the strategies, measures, and concepts of police prevention of violence against property are at best only mentioned in a peripheral context.

237 This is the definition in the *ProPK* brochure “*Wege aus der Gewalt*” (“Ways Out of Violence”), download of the German brochure: www.propk.de/mediathek/kommunikationsmittel/broschueren

Fields of police violence prevention in childhood and youth

Police violence prevention in childhood and youth above all occurs

- in the close social environment
- in school
- with respect to multiple and persistent offenders
- in the public arena
- in community crime prevention.

2.4.1.2 The type, degree, and development of violence by and against children and young people: potential significance and limits of police criminal statistics

The prevention and prosecution of violent crime are at the heart of police work – not only when children and young people are victims, witnesses or offenders. This is mainly due to the nature of the criminal acts: their often considerable effects on the victims and witnesses and their related interference with safety and the sense of safety.

The data of the Police Criminal Statistics (co-)define the police's violence prevention strategies, albeit with limited significance. The limitations are mainly based on the fact that the police are only partly aware of violent offences, mostly through complaints and rather seldom as a result of their own activities or in connection with investigations.

Nevertheless, complainant behaviour is not a constant value, but variable and influenced, above all, by media reports. Child and juvenile crime, especially violent crime, were and are “popular” topics for the media – the key words are “ever increasing, ever younger, and ever more serious”. Empirical evidence supports the view that media reports have led to an overestimation of juvenile violent crime among the population (and in politics!)²³⁸. Equally, there are indications of a growing inclination to make a complaint against children and young people causing disruption²³⁹. Moreover, this inclination is substantially greater for violence committed in public areas (the “typical” location of the crime scene for juveniles) than for violence in the private sphere (the “typical” location of the crime scene for adults).

The influential factor of “complainant behaviour” and other variable factors – such as police control, statistical records, amendments to criminal law – mean it is especially difficult to make statements about developments in criminality registered by the police: has criminality changed or do potential influential factors have an effect, or should both be assumed? No statistical assessments of unreported crime cases were previously carried out in Germany. Therefore,

238 cf. Pfeiffer et al. 2004

239 cf. Oberwittler/Köllisch 2004

with respect to the type, degree, and development of criminality registered by the police, assumptions can always only be made with greater or lesser plausibility about how “true to reality” the recorded data are.

If the function of Police Criminal Statistics is considered as case-statistics, then a ten-year comparison between 1996 and 2005²⁴⁰ highlights:

- in 2005, the police investigated *overall* 2.3 million cases of those suspected of having committed an offence, 4.5% more cases than in 1996. 17% (or 387,574) of these were children and young people of the under-18 age group – 5.1% less than in 1996.
- For *actual bodily harm*, a total of 456.618 suspected of having committed an offence were under investigation, 51% more than in 1996. 26% (or 82.968) of these were children and young people, 64% more than in 1996.
- For *robbery*, a total of 36,755 suspected of having committed an offence were under investigation, 11% less than in 1996. 35% (or 12,829) of these were children and young people, 20% less than in 1996.
- For violent crime in the narrow sense²⁴¹, in 2005 a total of 206,557 cases were recorded of those suspected of having committed an offence, 33% more than in 1996. 26% (or 53,979) were children and young people, 36% more than in 1996. In 2005, investigations were conducted into 9% of all those suspected of having committed an offence and 14% of the under-18 age group suspected of having committed offences of violent crime.

Although the majority of those alleged offenders registered by the police were young men or boys, the girls have “caught up”: in 2005, the proportion of under 18-year-old girls among all alleged offenders of this age group was 27% – in 1996, this was 26% (this trend for the girls obscures a slight increase in the absolute numbers of those suspected of having committed an offence of 0.2% – and for the boys, in contrast, a decline of 7%). For robbery, in 2005, the proportion of girls is 11% – in 1996, this was still 3%, (although for the girls, too, the absolute numbers of alleged offenders declined during the comparison period: by 16% – for boys, however, by 24%). For *actual bodily harm*, in 2005, the proportion of girls is 20% – in 1996, this was 17%, (this represents increases in the absolute numbers of alleged offenders for the girls of 97% and for the boys of 57%). For *violent crime* in the narrower sense (see the definition in footnote 241), the proportion of girls is 17% – in 1996, this was 14%, (this

240 basis: Police Criminal Statistics for the Federal Republic of Germany. As police criminal statistical data are not comparable “before and after the fall of the Wall” due to German unification, no reference can be made to the year 1989 – the year of the report by the “Violence Commission” – hence the methodologically standard ten-year comparison.

241 The summary code of Police Criminal Statistics 8920 “*Gewaltkriminalität*” (“Violent Crime”) incorporates manslaughter, rape, robbery, grievous and serious actual bodily harm, extortionate kidnapping, hostage-taking, attack on air traffic, and the largest proportion of alleged offenders – approx. 80% – is in the category of offences for grievous actual bodily harm.

represents increases in the absolute numbers of alleged offenders for the girls of 62% and 32% for the boys).

As regards the “degree” of violence, it can be observed that as previously, the girls primarily and more frequently attracted attention than boys for committing offences of a trivial nature, and/or as accomplices. The “girl gangs that hit hard” are an absolute exception – and therefore also a media event.

In comparison with media reports and thus their essential influence over the perception of juvenile violence, the analysis of reported crime cases to the police and violent acts accounted for in the Police Criminal Statistics offers a differentiated and less “shocking” picture:

- in no sense is “everything getting worse”, but certain things are even getting better: for instance, the frequency with which children and young people are registered with the police as “thieves” has been in marked decline for several years;
- violence is by no means only “typical of youth”: although the proportions of children and young people suspected of having committed violent offences are higher than among alleged offenders overall, but even for robbery they only represent 35% of alleged offenders – two thirds of alleged offenders are therefore 18 years or older;
- accordingly as regards violent acts, by no means is there only an increase in the absolute frequency of children and young people suspected of having committed an offence, but rather this applies also to 18-year-old and older alleged offenders.

If it is further taken into consideration that it is more common for violence committed in public areas by children and young people and together with others to be reported substantially earlier than for the typical violence committed by adults in the private sphere, and moreover that really serious violent acts by children and young people are committed much less frequently than by adults, then it becomes clear that violence is not a “speciality” solely of young people and that the dramatization of youth violence is not justified on these grounds.

2.4.2 Strategies of police violence prevention in childhood and youth in specific areas

2.4.2.1 Prevention of violence against children and young people in the close social environment

In the close social environment, in particular within the family, children and young people can become victims of violence by adults as well as witnesses of

violence among adults.²⁴² This is by no means a recent occurrence. On the contrary, the extent of intra-familial violence also and especially against children was even significantly greater ten or twenty years ago than today.²⁴³

Nevertheless, for the Sub-Commission V, the close social environment was considered rather more “hesitatingly” as an area of police violence prevention. At the centre of the statements on “violence in the family” in 1989 was the physical maltreatment of children, while sexual abuse against them was not addressed. Moreover, the fact that women and older people can become victims was mentioned, yet not considered in further depth, and the same also applies for the “resolution of disputes”. This corresponds to the cautious evaluation of the police’s preventive possibilities: “The police are principally obligated to prevent and prosecute criminal offences. This also applies for this area. However, the constitutional protection of the close social environment of home and family sets limits to direct influences. Maltreatment that occurs within the family is therefore excluded from direct preventive action. Furthermore, the police must show restraint with interventions, in order not to intensify an existing crisis, or prevent or impair therapeutic measures. Therefore, the principle must remain valid that as far as possible the police should be last in the intervention chain. However, protection afforded by criminal law as an emergency brake cannot be entirely dispensed with”²⁴⁴.

Since then, police strategies have substantially changed for violence prevention within the close social environment. Police action – either preventive or repressive – within the close social environment may still and unquestionably be a precarious issue, since the police intervene in what is probably the most protected sphere. Nevertheless, meanwhile the viewpoint still represented in 1989 by the Sub-Commission V has changed entirely. This is not least due to the experience that even and precisely for those institutions that are “actually responsible”, things only improve over the longer term once the police has seen to the problems of violence – and indeed not merely as the last in the intervention chain.²⁴⁵

242 In 2005, 17,558 children were registered as victims of sexual abuse, 10% less than in 1996; almost half (49%) were related or known to the alleged offender. In 1996 this figure was still 31%. In addition, there were 3,390 victims of maltreatment, 52% more than in 1996; 95% of them were related or known to the alleged offender (1996: 92%).

243 This is confirmed by results of the extensive studies on unreported crime cases by the Kriminologisches Forschungsinstitut Niedersachsen (Criminological Research Institute of Lower Saxony) on the type and degree of maltreatment of children by their parents.

244 see margin nos. 315, 316; seven out of a total of 127 pages of the expert report of the Sub-Commission V refer to violence within the family

245 Incidentally, this experience now caused the police to accept, too, one of the last taboos and “privatised” areas of violence in the close social environment: violence against old people, especially violence in (home) care. For the consequences arising from this new broad outline for training and continual professional development in the police, the key word is professionalism – cf. 2.4.3

Police strategies to prevent violence against children, with protection of the victims at the centre, are aimed not only at direct, immediate violence against them, but also at indirect, third-party violence against children as witnesses of domestic violence.

This new broad outline is also influenced by amendments to the statutory basis: since November 2000, the prohibition of physical and psychological violence in upbringing has been anchored in Section 1631, Para. 2 of the *Bürgerliches Gesetzbuch* (German Civil Code): “Humiliating educative measures, in particular physical and psychological maltreatment, are unlawful”.²⁴⁶

On 1 January 2002, the “*Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen*” (“Law for Civil Legal Protection from Violent Acts and Stalking Offences”) came into force with considerable consequences for the police: in all federal states, framework provisions and guidelines have been adopted for the effective protection of those affected by domestic violence, in particular, children who grow up in an environment influenced by violence. The *Bundesministerium für Familie, Senioren, Frauen und Jugend* (Federal Ministry for Family Affairs, Senior Citizens, Women and Youth) commissioned the scientific assessment of the intervention projects dealing with domestic violence and observed: “The police [...] have proven themselves as a model institution for the control of domestic violence: different coping and working methods were achieved, especially for police [...] practice in cases of domestic violence.”²⁴⁷

Protection of children as victims and witnesses in the context of domestic violence

This law at the latest offered the “official” recognition and confirmation of the fact that violence within the close social environment, and in this instance especially domestic violence, is not a private matter, but an issue of public interest. Moreover, this had a considerable impact on police behaviour.

While police concepts and measures primarily focus on the protection of the immediate victims – generally women or spouses –, they have an indirect effect on the children, who have even experienced at least physical violence as witnesses of violence between partners. Now, it is more frequently the case than before that the victims do not leave home and seek refuge with the children²⁴⁸ in a women’s refuge, but the perpetrators are placed under an exclusion order – according to the principle “Whoever hits out, goes”. And, at least indirectly,

246 The Violence Commission already requested a ban on the right to corporal punishment and made a corresponding proposal: “Children are to be reared without the use of violence. Using physical violence and other humiliating educative measures is unlawful. Section 1631, Para. 2 BGB (German Civil Code) is to be amended accordingly” – Final Report Part B: Proposals, p. 183.

247 From the “Material for the Press” of the *Bundesministerium für Familie, Senioren, Frauen und Jugend* (Federal Ministry for Family Affairs, Senior Citizens, Women and Youth) dated September 2004.

248 Empirical and statistical findings show that children are present in at least three quarters of cases of domestic violence that the police are called to.

this has positive effects on the children as well, and highlights how violence is not an accepted means of conflict resolution.

Police violence prevention therefore follows criminological findings, according to which not only psychological, physical, and sexual violence committed by parents and next of kin against their children cause them considerable damage, but also observing violent confrontations between parents can have serious and permanently damaging effects – and is always to be assessed at least as mental violence towards children. In addition, the danger especially for boys is that they themselves become violent as direct and/or indirect victims of parental violence.

Since children who have witnessed manslaughter in the context of domestic violence are particularly damaged, the attention that the police devote in advance to this form of violence (in forecasting danger and, if applicable, in warnings to potential offenders) is at least of indirect benefit to them.

Equally, provided that the police attempt to gain the consent of those concerned in every case of intervention in domestic violence, in order quickly to forward their details to one of the cooperating advice points, then collaboration between the police and intervention agencies for domestic violence – which goes as far as pro-active approaches – has a positive effect on the children who are also affected by domestic violence.

Protection of children from maltreatment and sexual abuse

Police strategies for the prevention of mental, physical and sexual abuse now take into account – also under a broad new outline – that not merely the mental and physical maltreatment of children especially occurs within the close social environment and is primarily perpetrated by the guardians, but also the majority of sexual abuse cases: “The numerical proportion of unknown offenders, who are the focus of a great deal of public attention, is usually overestimated. All findings show that the abuse of children occurs primarily within the family or social environment, for instance, by a father, uncle, grandfather, cousin, neighbour or friend – thus, overall by people who in some form or other are the next of kin of those affected” (see the *ProPK*²⁴⁹ handout “*Prävention auf einen Blick*” (“Prevention at a Glance”), 2004: 165).²⁵⁰

As child abuse not only occurs in the close social environment, and by no means all offenders are fathers or partners of the mothers, police violence prevention measures are also aimed at legal guardians: in the *ProPK* brochures “*Wege aus der Gewalt – So schützen Sie Ihr Kind vor Gewalt*” (“Ways Out of Violence – How to Protect Your Child from Violence”) and “*Wohin gehst du? – So*

249 **Programm Polizeiliche Kriminalprävention der Länder und des Bundes** (Program for Police Orientated Criminal Prevention by the Federal Government and the States)

250 See further also in the Police Crime Statistics data quoted in footnote 242.

schützen Sie Ihr Kind” (“Where Are You Headed? – How to Protect Your Child”) basic information is provided on the type and degree of violence, danger to children as well as relevant tips on prevention and recommendations.

However, since this target group of police violence prevention should not only protect children under their care from violent acts, but they themselves can turn into offenders, assistance for children who have become victims must (also) come from outside. For that reason, the aim of police violence prevention with initiatives such as support for “civil courage”²⁵¹ is to motivate witnesses not to look away, but to inform the police. Furthermore, the above-mentioned *ProPK* brochures are not only aimed at legal guardians, but also educational professionals in school and out-of-school institutions to raise their awareness of the danger for children and to motivate intervention.

At the level of several federal states, material about prevention has also explicitly been revised for children. Thus, maltreatment and sexual abuse are addressed, for instance, in the homework exercise books used by the police in primary school classes.

In any case, the actual emphasis of violence prevention in this area does not reside with the *ProPK*, but with the federal states, if the police participate in those prevention programmes that are designed to encourage children to “say no” (for instance, using role play, theatre, assertiveness training – with the key word: “Making children strong”) –, and if the corresponding information is given to parents and legal guardians (for instance, in cooperation with schools at parents’ evenings or similar events). The *ProPK* uses its materials and concepts – often these are action-oriented and interactive – to support such approaches by the police in the federal states.

Protecting children from violence in families with a minority ethnic background

Presently, police violence prevention all over Germany is aimed at families with a minority ethnic background, and in this case especially families of Turkish descent. The empirical findings demonstrate a significantly higher burden for these families due to domestic violence and physical violence against children, so in collaboration with Turkish partners the *ProPK*²⁵² has launched an initiative to promote violence-free education. This involves the publication of exemplary and aspirational biographies of prominent immigrants, who grew up in their family without violence. These positive messages, for instance, with television commercials, newspaper adverts, and the like should sensitize parents of Turkish descent and initiate a discussion process among migrants. Needs-oriented help offered by the *ProPK* print media supports the campaign.

251 “*Aktion-Tu-Was*” (“Act-Now Campaign”).

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2.4.2.2 Strategies for the prevention of violence towards and by children and young people in school

This area has also gained considerable significance for police crime prevention. The Sub-Commission V only dedicated three pages to the topic of “Violence in School”, starting with the statement: “The police only have a limited state of knowledge”²⁵³; and if at all, then about violence against property, while “violent acts against individuals in school ...” remain “mostly unknown to the police”²⁵⁴. “The essential deficiency in this area consists in the inadequate state of knowledge. This is one reason for the danger of the development turning unnoticed into irreversible forms, as is the case in the USA and in some cities in Great Britain”²⁵⁵. “The Sub-Commission ‘Police Practice’, based on the self-definition of the police as an organisation serving society, would like to dispense with proposals for the necessary reform of the educational sector. Moreover, it would like to emphasize more clearly the need for corresponding proposals from other Sub-Commissions. In this case, the results of various education and school reforms should not remain unconsidered”²⁵⁶.

This situation has completely changed. Nowadays, the police are present in schools to a degree that the Sub-Commission V could probably not have envisaged, and nor perhaps wished to. Police prevention is no longer only based on “road-traffic training and anti-drug education”²⁵⁷, but also and especially on violence-preventive concepts and measures: “A ‘worrying increase’ in juvenile criminality calls police prevention to action with an urgent appeal to all parents, teachers, and pupils to stop this ‘disconcerting development’ [...] With the motto ‘No chance left for bullies’, for instance, the press release issued by the Police Crime Prevention is now aimed at an especially subtle form of violence ... so-called ‘bullying’ ... This term refers to targeted, systematic, and repeated physical and mental harassment by stronger pupils against the weaker”²⁵⁸.

The quotation clearly illustrates the importance of differentiating between the current strategies of police violence prevention in educational institutions, in particular, in schools. On the one hand, strategies need to be identified that target violence by and towards children and young people that actually occurs at school. On the other hand, strategies are needed that “serve” the school as a place and means of prevention. Children and young people spend a large part of the day in school and in no other place are they so easily “within reach” – for the purposes of violence-preventive measures and concepts as well.

253 see Sub-Commission V: margin no. 292

254 see Sub-Commission V: margin no. 293

255 see Sub-Commission V: margin no. 297

256 see Sub-Commission V: margin no. 299

257 see Sub-Commission V: margin no. 298

258 *Pressedienst Polizeiliche Kriminalprävention*, (Press Release, Police Crime Prevention), dated 16 July 2004

School as a scene of violence towards and by children and young people

Spectacular individual cases easily distort the view that schools are relatively uncommon crime scenes for physical violence. Indeed, only a small portion of violent offences committed by young people and registered in the crime statistics actually record school as a crime scene, (even though children and young people spend most of their day here!)²⁵⁹ Moreover, the trend is for this frequency to decline. This is not only proven by Police Criminal Statistics, but also by statistics published in 2005 by the German Federal Association of Accident Insurance Funds on the trend for “accidents related to scuffles” in schools – their frequency is in decline, and this applies to all types of schools.²⁶⁰ The results of studies on unreported crime cases also point to a decline in physical violence in schools; in contrast, verbal and mental violence – often described as bullying – seem to be noticed more frequently.²⁶¹

With the aim of preventing or at least reducing violence in schools, for instance, the handout “Challenge Violence” was developed in cooperation with and for those engaged in education. This focused on coping with aggression in everyday school life, and was made available to schools by the *ProPK*. It is based on the anti-bullying concept developed and successfully implemented by Olweus.²⁶²

The *ProPK* media pack “*Abseits?!?*” (“Offside?!?”) also refers to violence in everyday school life. This comprehensive pack deals with topics of violence prevention for school pupils from the age of nine years and incorporates the film “*Abseits?!?*”, with five short episodes addressing various forms of violence in everyday school life, a booklet accompanying the film with tips for teachers to work on violence-free conflict resolution in class, and information for parents in German, Turkish, and Russian.

School as an “instrument” of police violence prevention

Police violence prevention in schools is aimed in the first instance not at “violence at the school crime scene”, but violence towards and by young people in general. They should be made aware of the measures and concepts of violence

259 In 2005, for instance, in Bavaria the school crime scene was reported as the location for all alleged offenders of the age group 14-17 for the relevant group of criminal offences for robbery 8.2%, for grievous and serious actual bodily harm 7.9%, for intentional (slight) actual bodily harm 14.7%, and for damage to property 7.2%.

260 German Federal Association of Accident Insurance Funds (ed.): *Violence in Schools. An Empirical Study of Incidents of Bodily Harm Caused by Violence in Schools in Germany 1993-2003*. Munich, May 2005.

261 See further especially the findings of the representative follow-up surveys of pupils in (Fuchs et al. 2005).

262 Bullying refers to deliberate damage of other pupils that is repeatedly exercised within a relationship over a longer period of time and manifests an imbalance of power (cf. further, for instance, Olweus 1995).

prevention through school, teachers, and legal guardians. This strategy also corresponds to the principle of police crime prevention being aimed as far as possible not merely at children and young people, but working in collaboration with others, especially teachers. They should be supported in carrying out their educational and training work also in a competent and crime-preventive fashion.

To inform and support teachers and those active in child and youth social work²⁶³, numerous materials have been developed and distributed in cooperation with educational professionals and with the involvement of the ministries of culture.

One of the most recent productions is the media pack *“Wölfe im Schafspelz”* (“Wolves in Sheep’s Clothing”) which is directed against right-wing extremism and its new manifestations. It was specially designed for pupils in secondary schools and addresses exclusion, intolerance, and violence motivated by right-wing extremism.

For children in day-care centres and in the first two classes of primary school, two children’s books are offered on the topics of “Violence” or “Tolerance and Integration” for use by the qualified childcare workers.

A PC game, developed by a renowned games manufacturer, is directly aimed at children in the eight to twelve years age group – the game *“Luka und das geheimnisvolle Silberpferd”* (“Luka and the mysterious silver horse”) should motivate children to deal with the topic of violence through play, and to resolve conflicts without violence. To reach as many children as possible, the game was distributed to schools all over Germany. Furthermore, it can also be downloaded free of charge from the *ProPK*²⁶⁴ website via www.polizei-beratung.de.

The police participate in violence-preventive lessons or corresponding campaigns only at the school’s request and in close cooperation with the teachers. This strategy is based on the consequences drawn by the police from experience with their involvement in drug prevention schemes in schools. In the past, responsibility in this field has frequently been delegated to the police, along the lines of: the police were here and gave a talk, so there is no need for us to take further action. However, successful violence prevention requires a permanent and coordinated approach on the part of all those actively involved. Support for positive social behaviour can, in any case, not be achieved by one-off police campaigns, but only by continual action that, above all, relates to the causes. The police can neither achieve this nor are they held responsible.

263 For parents, the aforementioned brochure *“Wege aus der Gewalt”* (“Ways Out of Violence”) has been developed to supplement the materials used in class; this is also distributed through the schools.

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Further measures and concepts were developed in the federal states. As these are now used in several federal states, it is worthwhile mentioning the homework exercise books, which are designed for pupils of primary school age and intended to counteract dangers of crime and road traffic, and the project “*Prävention im Team*” (“Team Prevention”). This project gives all secondary schools the opportunity to carry out a joint crime prevention seminar also about “Violence” in a team composed of teachers, police officers, as well as other professionals. In Lower Saxony, the programme “*Prävention als Chance - Schulbezogene Gewaltprävention im Verbund*” (“Prevention as a Chance - School-Related Violence Prevention in Networks”) is still in a trial stage and is being carried out and evaluated in three locations. The providers of the project are the State Office of Criminal Investigation of Lower Saxony and the *Gemeinde-Unfallversicherungsverband Hannover/Landesunfallkasse Niedersachsen* (Community Accident Insurers’ Fund Hanover/State Accident Insurers’ Fund of Lower Saxony).

In view of the plethora of class materials compiled by the police, the question only arises as to whether this is in fact a police duty and not of the departments of education of the federal states and also whether this is not “instrumentalising” the schools for the purposes and objectives of police violence prevention.

As far as the question of “responsibility” is concerned, this certainly always rests with the police, whenever it is about fulfilling their obligation to inform and integrate police findings and experience into a lesson on violence prevention or to provide the corresponding materials. However, in this case these must also be prepared jointly and managed by educational professionals and used with the explicit approval of the ministries of culture.

As regards the danger of “instrumentalising” school for police crime prevention, it is rather the case that this is always only an offer of assistance by the police. The school decides whether, when, and where to use and implement this.

In comparison with the numerous activities of police violence prevention in and with schools, the tendency is to collaborate less closely and on a less long-term basis with out-of-school institutions, especially the child and youth services institutions. Although materials compiled for the purposes of prevention in schools are basically also directed at out-of-school educational institutions, these are used and implemented less frequently. Improvements are possible here as far as the integration and collaboration with the Conference of Youth Ministers is concerned. An approach that promises to be successful for the closer interlinking of youth social work is being pursued with the *ProPK*²⁶⁵ pro-

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ject for the “*Schutz von Kindern gegen Gefahren des Internets*” (“Protection of Children Against the Dangers of the Internet”). This concerns promoting Internet skills for teachers and youth social work professionals. This principle of good collaboration between providers of youth social work and the Conference of Youth Ministers should be transferred to violence prevention strategies.

2.4.2.3 Strategies for violence prevention for multiple and hardcore offenders

Collaboration with the child and youth services and the judiciary over strategies aimed at young people, who have already attracted attention to themselves through violence, is more closely and in part also formally regulated. This is especially true for multiple and hardcore offenders. In these “cases of difficult juveniles” it is important to prevent further criminal offences.²⁶⁶ Therefore, here police strategies range between prevention and repression, and between youth contact work and youth casework, and overlaps may occur.

Youth contact work

Youth contact work – broadly with a preventive outline – that impacts on a young person’s attitude, social skills or the structures of his or her environment with the aim of achieving positive behavioural changes, is differentiated from social work by restricting the responsibility of the police to these “cases of difficult juveniles”. “Only if disruptions to public safety are caused by this group in the form of endangering others or the individuals themselves, or if these can be anticipated with a sufficient degree of probability, are the police responsible for preventive measures”²⁶⁷.

Considerable importance is attached to the preventive use of the “*crisis of being caught*”. The importance of a rapid and consistent police reaction in the case of infringements against the rule of law as well as the type of police contact with children and young people have a substantial and lasting effect on their future behaviour, as shown by surveys of young people on the effects of “initial police contact”.

In several federal states, for this reason, too, the police educational talk was introduced. As the police – unlike the child and youth services and judiciary – in each case has contact with the young person causing disruption, previous personal connections to the alleged offender or existing knowledge of the youth “scene” can be used. The educational talk should occur in proximity of the act, in order to discuss at an early stage the offence and its consequences as well as existing problems, and – if possible – to work through these. At the same time, information about the young person, his or her individual and so-

266 See further and on the following the aforementioned PDV 382 – “*Bearbeitung von Jugendsachen*” (“Processing Youth Matters”) and Dietsch/Gloss 2005.

267 see Dietsch/Gloss 2005: 119

cial situation are made available to the successor authorities that make decisions easier, and can therefore also speed up the process.

The tried and tested police strategies in the field of youth contact work also include the use of specially trained youth police officers.

Youth casework

The repressive broad outline of police youth casework is oriented towards juvenile criminal law. Its principle of “education before punishment” also has an impact on the preliminary hearing that is essentially influenced by police investigations. In this instance, the police are also obligated to undertake crime-educational action for coping adequately with minors suspected of having committed an offence²⁶⁸. As far as possible, in this field specially trained youth case-workers should be therefore employed. However, unlike in the justice system, this specialization is not a normative prescription for the police.

Clarification of the act, which as far as possible should be non-contradictory, is the basis for all subsequent preventive and/or repressive measures. Furthermore, the mission of police youth casework is to have an “educational” effect on the offenders. Here, the action concept of intervention is used, which is focused on an enduring effect, and extends far beyond clarification of the punishable action. Its broad outline is a concrete issue that can be restricted to a person or a precisely defined group²⁶⁹. Police intervention includes measures to avert dangers in accordance with police law, and measures in accordance with the German Code of Criminal Procedure – such as exclusion orders, taking into custody, searches or seizures. If necessary, educational talks are also included as well as warnings to potential offenders, where potential offenders are visited and instructed.

In several federal states – such as in Baden-Württemberg, Hamburg, Saxony-Anhalt and Schleswig-Holstein – the police, and not merely the public prosecutor’s office have the option to suggest diversion proceedings, that is, informal settlement of the proceedings instead of formal sanctions.²⁷⁰

Special police strategies and measures are aimed at multiple and hardcore offenders – at the relatively small proportion (approx. 10%) of young violent offenders who are responsible for the majority (approx. 50%) of violent offences registered with the police for this age group. Numerous police stations, especially in major cities, have such hardcore offender programmes. They are generally networked and established across departments, in order to adopt a fully targeted approach and to deal emphatically – for instance, in the context of

268 see Dietsch/Gloss 2005: 120f.

269 see Dietsch/Gloss 2005: 248f.

270 According to the current status of comparative research into sanctions, the re-offending figures after diversion tend to be lower than after conviction (see Heinz 2005: 308).

individual case conferences – with the problems of the individual young hard-core offender. More recent police strategies are aimed at identifying so-called offenders ‘on the brink’ or those attracting attention to themselves on multiple occasions and about to become hardcore offenders – in an effort to prevent their “career” evolving through suitable measures.

2.4.2.4 Prevention of violence towards and by children and young people in public areas

The “public arena” and its sub-areas of “violence on the streets and squares” and “violence in the stadium” was also addressed by the Sub-Commission V.²⁷¹ The central points at that time were vandalism and rowdy behaviour such as violence by groups such as skinheads, rockers, and punks. The Sub-Commission V at best expected a “limited effect” of police prevention²⁷², stating that “the containment of this phenomenon can only be a police function *ultima ratio*, with the certainty of a pragmatic and overriding superficial approach to dealing with delinquency”²⁷³, “the influence over individuals and groups who seem dangerous must primarily be reserved for other social institutions and agents. The police should not criminalize young people by disproportionate reactions or favour criminal careers”²⁷⁴.

As regards “violence in the stadium”, “managing in real terms violent individuals and violent-inclined people and groups is envisaged by the police on three levels:

- preliminary work in cooperation with the social services;
- preliminary work and direct influence in cooperation with the club;
- preventive and repressive intervention at events”²⁷⁵.

In comparison with the development of strategies of police violence prevention in the fields of the “close social environment”, “school”, and “multiple and hardcore offenders”, the “public arena” has rather lost significance, even if the prevention of youth group violence remains as relevant as ever – the same as, for instance, work with football supporters or the preventive reaction to (right-wing) extremist groups. However, essentially no new strategies have been added.²⁷⁶ The police should be present, in particular, and de-escalate conflicts with specially trained youth police officers, as well as clarify the law,

271 An additional chapter – by far the most extensive – of the Sub-Commission V expert report concentrated on the then extremely relevant acts of violence in connection with demonstrations.

272 see Sub-Commission: margin no. 260

273 see Sub-Commission V: margin no. 261

274 see Sub-Commission V: margin no. 266

275 see Sub-Commission V: margin no. 283

276 The use of technical prevention measures such as video surveillance is aimed not only at the prevention of juvenile violence. The same applies for police measures such as conversations with agitators or preventive taking into custody.

whereas in this case, unlike in school, they “appeal to” young people directly and on the spot.

As previously, it is mainly typical for young males to draw attention to themselves in the public arena. By far the most violent acts committed by young males and registered with the police – especially for actual bodily harm and robbery – are recorded in public areas.²⁷⁷ The reasons for this are not only that public areas continue to be their preferred place to meet up, but also because here their behaviour is particularly visible, being classified as “violent” and reported to the police. Incidentally, those who are the most frequent victims of this violence often make reports: other young males.²⁷⁸ Generally, violence in public areas concerns confrontations between young males, and there are frequent cases of “victim-offender status exchange”. A characteristic is a high proportion of boys from a minority ethnic background; alongside young people of Turkish descent, in particular, juvenile late repatriates also draw attention to themselves here.

Typically, violent acts in public areas are committed by several young persons together or they are initiated from within a group, however, rarely by long-term, fixed groups or by youth gangs in the stricter sense. As it is important for children and young people to form same-age peer groups while growing up, it is typical for their age group and therefore “normal” for young people to join together in groups. Only a few groups become problems, because criminal offences and in these cases especially also violent acts are committed from within their ranks. This violence “emitting from” groups is often less serious than when young persons commit violence alone.

Empirical findings and criminal statistics data suggest that young people, who have become victims of violence, clearly tolerate this less often than previously, and frequently report the offence and the offender to the police: a complaint is a legitimate means of defence. And this is what police violence prevention wants. For instance, in the brochures such as “*So schützen Sie Ihr Kind*” (“How to Protect Your Child”) and “*So schützen Sie Ihr Kind vor Gewalt*” (“How to Protect Your Child from Violence”), the appeal is made: “Defending oneself also means making a complaint as soon as possible...”. The *ProPK*²⁷⁹ initiative for more civil courage – the “*Aktion-Tu-Was*” (“Act-Now Campaign”), developed against the backdrop of street crime and aimed at young people as offenders, victims, and witnesses – also further appeals for active assistance to involve the

277 In 2005, the proportion of alleged offenders of the under-18 age group for “robbery on streets and squares” and for “grievous and serious actual bodily harm on streets and squares” was 49% in each case.

278 However, in this case not least due to the proliferation of mobile telephones, the inclination to make a complaint has also markedly increased on the part of third parties who are not involved (“eye-witnesses”). This is entirely in keeping with the police activities on “civil courage” matters, if not always to the “delight” of those immediately involved in the confrontations.

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police. If more violence is registered this can also point towards the efficacy of police violence prevention, and not towards more violent and more violent-inclined youth!

2.4.2.5 Prevention of violence by community crime prevention

Under the headline of “Prevention and Control of Violence as a Task Across federal states, Departments, and Groups” the final report of the Violence Commission, among other things, suggested: “For the effective prevention of crime, it is ... necessary to create an organisational structure that is suited to focus and implement prevention on realistic conditions and needs on location. A majority of offences is committed within the local community. Therefore, the organisational emphasis of crime prevention should rest with the local authority.

Within the local communities, the various groups and experts in the field of crime prevention should work together in local organisations. The providers or organisers should in this case be the local communities themselves ... Alongside youth services authorities, the churches and trade unions, police and judiciary in particular, yet the citizens and media representatives should also be involved...”²⁸⁰

Since the publication of the expert report, community crime prevention has undergone a “boom”: from 1990 onwards, approx. 2,000 prevention committees at local authority level were set up all over Germany. However, the pace of progress with their development in the federal states has been varied, and in recent years, new committees have rarely been set up.

Community crime prevention operates with a variety of different organisational forms, participants, and activities. However, there are two typical features: the police are always involved – mostly as an initiator and “driving force” of activity, and frequently the emphasis is on child and youth crime prevention and here especially on violence prevention.

The police participation in the committees is an expression of their understanding of violence prevention for society as a whole and of their insight into the necessity of a coordinated, networked approach.

2.4.3 Internal conditions for the success of police violence prevention

To do justice to the high status and aspiration of police violence prevention, the necessary conditions must be created for the organisation of the police, the allocation of personnel and funds, and for training and continuing professional development.

280 see Final Report Sub-Commission V: margin nos. 504, 505 and proposal no. 148, cf. Schwind/Baumann 1990

Since these areas and their regulation fall under the jurisdiction of the federal states and therefore can be implemented in very diverse ways in terms of organisation, staff, and financing, the *Polizeiliche Kriminalprävention der Länder und des Bundes* (Police Orientated Criminal Prevention by the Federal Government and the States) can only provide incentives and, if applicable, make available the material resources. These are to improve police professional practice for violence prevention as well.

All police officers should be capable of giving simple instructions on how to protect oneself from violent acts. For instance, *“Prävention auf einen Blick”* (“Prevention at a Glance”), the Handbook for Police Practice, pursues this objective along with the available *ProPK*²⁸¹ materials for the whole of the police service.

All State Offices of Criminal Investigation, the Federal Criminal Police Office, and the Federal Police employ police officers as *ProPK*-instructors. Their task also includes informing lower police ranks about the concepts, measures, and materials of the *ProPK*.

All police officers must be sensitized for the concerns of victim support: the protection, assistance, and support of victims (of violence) is part of the function of police prevention. The corresponding competences for this are supported, for example, in the film *“Nah dran”* (“Up Close”), a film intended for police practice, and the victim protection software “Victim”.

It is important to raise the awareness of the whole of the police – every police officer – about the concerns and needs of crime and violence prevention in Germany as a migration society. The *ProPK* supports the necessary transfer of intercultural competence and, for instance, published the *ProPK* guide on the support of cooperation entitled *“Polizei und Moscheevereine”* (“Police and Mosque Associations”).

Concepts, projects, measures, and media of police violence prevention, in particular, those that have proven to be effective, must be explained and made accessible to police crime prevention officers in a more comprehensive way. The corresponding possibilities for information about crime-preventive projects are offered by the Federal Criminal Police Office and entitled *“InfoDOK”* (“InfoDOC”), and this can be accessed via the police extranet.

Evaluation is mandatory for the quality assurance of police violence prevention. For the *ProPK* projects, formative and process evaluation is now commonplace. Meanwhile, with the *ProPK* publication entitled *“Arbeitshilfe für die Evaluation”* (“Aid for Evaluation”), support is given to all those who plan and carry out prevention projects. This is still used rather tentatively – and an efficacy evaluation is generally not completed (incidentally, the same is also true for repression projects). An improvement can be anticipated only when train-

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ing and continuing professional development, and above all, senior police executives promote and support evaluation more than previously.

2.4.4 Conclusions, further development, recommendations

The strategies of police violence prevention in childhood and youth have substantially altered in recent years both for violence prevention under the jurisdiction of the federal states and across the regions, as well as at the *ProPK* level.

In this instance, the broad strategic outline of police prevention coordinated across the regions at interstate level, and especially at the *ProPK* level, is oriented towards regular representative surveys of the population (last carried out in 2002) relating to the feeling of security, attitudes towards the police, the need for information on protection against criminal offences, the degree of publicity for the *ProPK* media and (crime) police advice points, as well as contexts and situations in which citizens are especially receptive to the police's provision of advice and information.

On the basis of the findings of these surveys, in future the police's violence-preventive work will have a greater dependence on:

- needs-oriented prevention using methodological analyses ("prevention situation survey");
- networking and bundling resources by closer integration of collaboration partners and media representatives;
- effective public representation of prevention projects;
- the professional quality of crime-preventive public relations work, for instance, through planning and carrying out current subject-specific campaigns, the stronger presence of information availability in mass coverage media, and by the support of crime-preventive journalism;
- consideration of the aspects of ethnic background and gender;
- consideration of the potential danger and opportunity for criminal acts through the new media (Internet, mobile telephones, and the like);
- the survey of information and communication needs of individual target groups;
- the support of police training and continuing professional development;
- the evaluation of police violence prevention projects and measures;
- the transfer of intercultural competence within the police;
- the control of violence in the close social environment;
- the extension of local community crime prevention beyond the sphere of juvenile crime;
- the reinforcement of prevention in the out-of-school area (for example, in clubs);

- the clarification of the roles and responsibility of those actively involved in the area of the prevention work of networks and society as a whole;
- the consistent reinforcement of prevention awareness at all levels, in particular, in the context of repression.

At the level of the federal states, one point of emphasis will be on the police participation in the work of local authority prevention committees, in order to further integrate aspects of violence prevention. Efforts should also be reinforced to employ individuals with a minority ethnic background in the police service.

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2.5 Strategies for Violence Prevention within the Judicial System

Violence in childhood and youth, where it comes to public knowledge, is always a matter for the judicial system. Three substantive areas must be distinguished:

- Family court proceedings in cases where a child's welfare is at risk, under the *Bürgerliches Gesetzbuch* (German Civil Code)²⁸²
- Juvenile court proceedings for violent young offenders, under the *Jugendgerichtsgesetz* (Juvenile Courts Act) (► Ch. 2.5.1), and
- Juvenile custody (► Ch. 2.5.2).

Strategies for violence prevention within the judicial system are structured in conformity with these three areas. It is immediately noticeable that each of the three areas has a characteristic discourse not used by the others. Reflecting this reality, the present discussion is likewise a tripartite structure. At the same time, the divided structure can be seen to represent a challenge for the future. There is in practice virtually no interchange and no cooperation between the discrete areas of juvenile courts and family courts, even though it is not unusual for the two systems to be dealing with the same young persons and their families. In our view it is time to consider ways in which this institutionally blinkered focus might be widened. One example of how new links might be created is the proposal to extend the competence of *Jugendgerichtshilfe* (youth services in youth court proceedings) to include the family courts.

The key legislation underlying judicial prevention strategies is the *Jugendgerichtsgesetz* (Juvenile Courts Act), which enshrines a fundamentally educative intention. The Juvenile Courts Act is accordingly given a chapter of its own. It is only in the recent past that the scope afforded by the German Civil Code to family courts in cases where child welfare is at risk has begun to receive attention with an eye to violence prevention, one of the bodies approaching the issue from this perspective being a working group set up by the Federal Ministry of Justice. Here there is likewise scope for establishing links to the field of action embracing the family (► Ch. 2.1). The third area of relevance to judicial prevention of violence is that of juvenile custody – a field which for a long time received virtually no attention. That ceased to be the case only after the *Bundesverfassungsgericht* (Federal Constitutional Court) ruled that legislation embodying a Juvenile Custody Act must be in place by the end of 2007. As a consequence of the reform to the German federal system, the federal states are now being called on to enact corresponding legislation internally. In view of the current debate, and also because this area has in the past tended to be neglected, a chapter will be devoted to a close study of violence-preventive strategies used in the context of custodial practice.

282 due to major changes since the German report was issued in 2007, the chapter covering the family court proceedings is not included here.

Horst Viehmann

2.5.1 Strategies of Violence Prevention within the Framework of Juvenile Criminal Law

2.5.1.1 The Challenge for the Juvenile Justice System – and the Objective

Juvenile criminal law is preventively conceived law; its design purpose and its responsibility in practice are not to ensure that offenders are punished, but rather that those convicted should subsequently show themselves capable of living within the law. The aim is that following their first clash with the law they should not go on to commit further offences. The rationale and purpose amount to what is called “special prevention”: the future behaviour of the young persons concerned is supposed to be influenced for the better. They are supposed to gain an understanding of the harmful or reprehensible nature of their earlier conduct, thereby acquiring a degree of resistance to recidivism. And they are supposed to be put in a position enabling them to live from then on without re-offending. For most of the ubiquitous or episodic criminality on the part of young people, the clear warning suffices: this particular behaviour will not be tolerated, it is forbidden and will be punished (the technical term here is “norm clarification”). Insight, enablement to live an offence-free life, and norm clarification are – to put it in simple terms – the objectives of all reactions and interventions under juvenile penal law. There is admittedly also a repressive element, as a safeguard; but that is a provision for exceptional circumstances, and in terms of results is likewise aimed at subsequent good conduct: detention in a young offenders institution follows on a serious offence – but here too due attention must be paid to the educational aspect..

Juvenile criminal law may be described as a body of law based on penal law and not only providing for both prevention in general and education in the specific individual case, but also – because judicial processes must respect the constitutional principle of proportionality – enforcing these outcomes in the individual case. This means that the law must refrain from punishing the offender in cases where an educational measure appears appropriate and sufficient for achievement of the object of intervention by the juvenile penal system: namely the future good conduct of the offender. Legally, juvenile criminal law rests on the *Jugendgerichtsgesetz* (Juvenile Courts Act). It takes its starting-point in the corpus of indictable offences recognised in general penal law and imports the constitutional and procedural safeguards required in a constitutional democracy, these appropriately modified for juvenile court use. To this extent, juvenile criminal law is penal law. However, the Juvenile Courts Act proscribes the sanctions available under general penal law and instead offers courts a wide array of reactions and interventions appropriate to young persons, to be applied in response to potentially criminal behaviour on the part of

minors aged 14 to 17, and also to provide solutions tailored to individual age and maturity for the age-group 18-20. To this extent, juvenile criminal law is also a body of law designed to educate and help. This is why it makes sense to describe it not as juvenile penal law but as juvenile criminal law. The latter does not set out to punish in the first place, but instead concerns itself with the study of juvenile criminality and furnishes the prosecuting bodies – the *Jugendstaatsanwaltschaft* (juvenile prosecution services) and *Jugendgerichte* (juvenile courts) – with norm-clarifying measures and a large number of ways to help and support a given young person, with a view to avoiding the commission of further offences.

This philosophy of juvenile criminal law applies to juvenile criminality generally and also to offences of violence against other individuals. Only when respect and acceptance of the right to life and to freedom from bodily injury can be communicated to young people in such a way that violence directed against others ceases to represent an alternative course of action will it become possible to limit the disposition to violence and the burden that violence imposes on society. The juvenile criminal law can and will play a part in bringing this about.

In the overall context of youth and violence, offender numbers are high; yet young offenders are far outnumbered by young victims. Most of these are victims of violence inflicted by young people, for the most part in places where they spend their leisure hours. But they also include victims of violence at the hands of adults, particularly within the family (► 2.1.2 “Partner Violence”). Society needs accordingly to stop seeing young people exclusively as offenders, and be more prepared than hitherto to focus its attention on young people as victims. While this is not of central importance in juvenile criminal law, it does matter, in the context of reviewing options for sanctions, that those at the receiving end of juvenile violence are themselves in most cases juveniles.

2.5.1.2 The importance of Violence as an Element within Juvenile Criminality

Violent acts within the context of juvenile criminality cover a broad range from a mild use of physical force in age-typical scuffles and fights all the way to the most heinous acts of violence such as different degrees of homicide. Offences of serious violence, i.e. *Gewaltkriminalität* in the German police terminology, including murder, manslaughter, robbery with violence or the threat of violence, and grievous bodily harm, are, on a quantitative measure, of fairly marginal significance. The role of juveniles in qualitatively serious acts of violence is generally over-estimated: for example, it takes as little as the involvement of several young people in a fight – and this category covers almost two-thirds of all juvenile criminality involving violence – to qualify a bodily injury as a “grievous” bodily injury, regardless of the actual consequences of the injury inflicted. And yet the less serious offences involving bodily injury, in a similar

way to shoplifting, are part of the everyday scene in juvenile criminality, which means they rank among the principal juvenile offences.

At the same time, social and political perceptions of juvenile violence overrate its extent, structure and gravity. It is often dramatised and sensationalised. This is the case both in the historical, traditional sense and in today's context. The *Kriminologisches Forschungsinstitut Niedersachsen* (Lower Saxony Criminological Research Institute) has reported survey findings indicating that those polled believed there had been a sharp rise in dangerous and serious criminality, whereas in fact some of the registered statistics indicate a considerably lower incidence.

It is true that the number of offences of violence recorded by the police, and the number of minors suspected of such offences, have both gone up²⁸³. However, it may well be the case that this simply reflects increased inclination on the part of an over-sensitised public to report offences, given that over 90% of registered criminality is brought to police awareness by reports from the public. Thus a statistical increase does not necessarily reflect an actual increase on violence, as it may in large part result from a new coverage in police statistics of offences that formerly escaped registration. This trend has been reinforced by increased and successful police investigative activity.

In qualitative terms, too, the statistics falsify the picture appreciably. In compliance with the penal code's definition, they register bodily injury inflicted by persons acting together as "grievous bodily injury", irrespective of the injury's consequences. In thus highlighting one aggravating feature, they correspondingly fail to acknowledge the special nature of juvenile violence, which is preponderantly and – as an age-related phenomenon – typically committed not by individuals acting alone but by several acting together, and in many cases amounts to mere rough-house behaviour without serious consequences. Minors also inflict serious bodily injuries, of course, but the incidence of such offences is relatively low. These emphatically do not represent typical juvenile violence, and on their own provide no warrant for making the juvenile criminal law more draconian generally, advocated time and again in knee-jerk response after reports of heinous one-off offences are published, generally in the red-top press.

2.5.1.3 The Role of the Media

Contributing to a symposium held at Cologne in 1999 on the theme of "Criminality and the Media", the Bielefeld criminologist Frehsee commented: "One of the most popular topics of recent years has been juvenile criminality, always generalised by characterisation of the young as disposed to violence,

283 On this point, cf. PKS (Police Criminal Statistics) 2005, according to which criminality attributable to juveniles was down 4.3% overall against the previous year, in line with the long-term trend since 1997, whereas registered offences involving bodily injury had increased by 2.3% (BMI 2006:16).

actually violent, dangerous, criminal. ‘They nick things. They mug people. They kill.’ – that kind of headline. The latest thing is child criminality. At this age, even more emphatically than for the 13-20 age-group, grave crimes of violence are the rarest of extreme cases. That fact does not get in the way of headline-writing like ‘Little Monsters’, ‘Children at War’, ‘Kids who Know no Mercy – Germany Swamped in Tide of Mindless Violence’ – effectively characterising the entire generation of our youngest people.”

The media exert decisive influence on social and political perceptions of youth criminality. They contribute in large measure to exaggerated perceptions of the incidence of violent crime. They regularly report on spectacular and heinous acts of violence and create the impression that youth criminality is made up of serious acts of violence. In the public perception this reporting leaves behind the erroneous impression of a widespread and serious crime problem for which an increasingly criminal youth generation is responsible.

This impression is reinforced by the regular annual coverage of the police criminal statistics. The rise in figures for youth crime, which may derive in part from increased police vigilance, and most particularly from increased readiness on the part of the public to register complaints – and thus does not reflect a true rise – is often used as a pretext for reports of a “deeply disturbing upward trend in youth criminality”. Even where registered offences fall, as has been the case in some categories of offence since 1997 and for offences involving violence since 2001, this false impression is kept going by the prominence given to extreme brutality in specific individual cases.

Current reporting of violence occurring at *Hauptschulen* (secondary schools [without university stream]) is likewise heavily dramatised. Many of those students are socially disadvantaged and without prospects. They do not pose unreasonable demands, but they do aspire to a school-leaving certificate, vocational training, and a job, and to starting a family. They have been unsettled and left fearful by the antics of the media, and the great majority of them want to get on with their studies in peace. However, they are not in a position to construct a normal life for themselves, and it is evident that there have been massive failures of educational and youth policy.

The media nevertheless continue to generate a perception of menacing juvenile criminality. They keep public fears alive, particularly amongst older people. The reporting also affects the course of justice. The judiciary and the prosecuting authorities, like the general public, draw their knowledge of contemporary events from the mass media. The reporting influences their perceptions and leaves its stamp on their mindset. An appreciable number feel under public and political pressure to take a stand, seeking to halt the allegedly sinister trend. This mechanism is familiar to criminology as a self-amplifying publicity-politics circle. It acts as a burden on the state and on society, leading to unwarranted demands for greater rigour in legislation and severer punishment. Such changes

are expensive, and the supposed preventive effect will not materialise. In the most recent period, judicial practice seems to be leaning more frequently towards custodial sentences and also longer sentences, for juveniles as well as for adults, in the (fond) hope of countering this development. Many of the crime policy proposals put forward recently and very recently have reflected this mechanism and its populist appeal. In marked contrast, the findings of scientific research and fieldwork on the causes of juvenile criminality and on meaningful responses to the problem are accorded scant attention and seldom acted upon.

2.5.1.4 The Legal Framework – The Juvenile Courts Act

Education as a Preventive Principle

The special features of juvenile penal law are promulgated on the common platform of the *Jugendgerichtsgesetz* (Juvenile Courts Act). First made law in the year 1923, the Act has been amended and reformed at a number of points in its history. The most recent reform of the Act, a substantial change and simultaneously a deepening of the preventive element, aimed at reinforcing the educative intention, reached its conclusion in 1990, following more than eight years of debate on crime policy, in the form of the *Erstes Gesetz zur Änderung des Jugendgerichtsgesetzes* (First Amendment to the Juvenile Courts Act).

The Act's core principle is its educative intent. This educative principle is not defined *expressis verbis* in the text, but is frequently and variously alluded to, as well as being implicit in the actual provisions. Its primary purpose is to reduce the likelihood of further offending by *Jugendliche* (13-17 age-group) and *Heranwachsende* (18-20 age-groups). To achieve this end, the legal consequences and – as far as possible – proceedings should primarily serve the educative intent. In current thinking on the issue, this does not *mean* education in the comprehensive sense implying the moulding of personality and development. That is something that penal law and the judicial system cannot do. The educative goal of juvenile penal law is limited to the achievement of future good conduct. The means to be used to that end should above all be educative, should help and empower, and should contribute to development in a positive sense. Measures of a repressive character should be accorded lower priority with a view to avoiding their negative side-effects.

This philosophy of juvenile criminal law dates from the time of the codification of the penal aspects of juvenile law in 1923, and was derived from the following sources

- insights gained from the criminological research of the time,
- insights acquired in the course of judicial practice into the social situation of young people as a fundamental cause of offending, and

- experience of the ineffectiveness of penal sanctions as a remedial measure against socially conditioned offending.

The *Reichsjugendgerichtsgesetz* (Imperial Juvenile Courts Act) of 1923 accordingly enshrined the educative principle at the heart of the new law, taking priority over sanctions of a penal nature. The educative principle subsequently stood the test of practice, and was endorsed by research, particularly during the last quarter of the 20th century.

It cannot be said, however, that the principle of education-not-punishment finds ready general acceptance. In the face of crime committed by young persons, particularly where it has involved the use of physical violence, both the public and its political representatives are apt to lean towards repression and revenge. Yet criminological research and many years of enlightened judicial practice have identified this as more likely on balance to actually entrench criminality. The point applies both to the low-grade criminality widespread among young people and more significantly also to offences involving violence.

Education, such principles as prioritisation of diversion over formal proceedings and of non-custodial over custodial measures, and numerous individual provisions of the Juvenile Courts Act all accord with international agreements and recommendations. The United Nations Standard Minimum Rules of 1985 governing the formation of a judicial system geared to juvenile offenders and the provisions of Articles 37 and 40 of the 1989 UN Convention on the Rights of the Child have their counterparts and find tangible expression in German national law, as do the relevant recommendations and requirements of the Council of Europe, in particular Recommendation R (87) 20 (published 1987) on society's reactions to juvenile criminality.

Formal Legal Options for Reaction

As noted above, juvenile criminality is ubiquitous and episodic in nature. Extremely widespread during the years of minority, it disappears of its own accord as the phase of juvenile development is left behind. For the most part, juvenile criminality is also of a trivial nature. This is essentially true also of juvenile delinquency involving violence. Reactions provided for in the Act accordingly have in their forefront the strategy of quick reaction with norm-clarifying measures which enable the state prosecution service to desist from further proceedings, or a magistrate to stop proceedings. Available non-custodial measures likewise play a part in enabling the harmful side-effects of custodial interventions to be avoided.

This strategy of avoidance of typical judicially imposed sanctions and of deployment of relatively undamaging, supportive and stabilising reactions in dealing with the juvenile delinquent requires a specific infrastructure which

cannot be provided by the judicial system. That is the task of the child and youth services. At the very outset of a case, it must seek to avoid repressive judicial solutions (for instance, detention) by offering appropriate services of its own²⁸⁴. Once the case is under way, the child and youth services similarly have the obligation to make non-custodial reaction options available, in this way helping to reinforce the modern trend away from punishment in favour of social enquiry. All this requires effective cooperation between the judicial authorities and the child and youth services. Such cooperation is achievable given better training and professional development and appropriate communication between the authorities and individuals involved. This modern approach to dealing with young offenders requires a robust infrastructure of institutions offering and delivering non-custodial management measures. That can only be achieved on a basis of adequate funding put at the disposal of both the judicial authorities and the child and youth services. For as long as non-custodial projects are beset by anxieties about their funding, with an ever-present possibility that work might have to stop for lack of money, the legislative goals of the *Jugendgerichtsgesetz* (Juvenile Courts Act) and Social Code Book VIII will remain unattainable.

Also relevant here are intensified efforts – with a structural focus – to improve communications between the various parties concerned. The way forward has been shown by the District Juvenile Court of Hamburg, which has now been abolished despite protests from the profession. A no less admirable example of cooperation is being set by the teams using the *Haus des Jugendrechts* (Juvenile Law Centre) at Bad Cannstatt near Stuttgart. Besides the benefits of spatial concentration, it is important in particular that the interfaces between the various competences should work smoothly. If a given minor's case is handled throughout by the same individuals – police officer, youth services case-worker, magistrate – within their respective organisations, the usual wastage through interface frictions can be largely eliminated.

Procedural (informal) Disposals

In less serious cases, an *Ermittlungsverfahren* (case investigation procedure) will go through informally and without further judicial measures, particularly if parents, the immediate social circle or the offender concerned have already taken appropriate action in relation to the offence. Such action may take the form of educative measures within the family context, an apology to the victim(s) or restitution by the offender of damage caused.

This type of practice, designated internationally as “diversion”, is widespread in Germany. On average, almost 70% of all case investigation procedures against minors are disposed of by diversion, without negative impact on the incidence

284 see German Social Code Book VIII § 52 Subsect. 2

of juvenile criminality. Recidivism rates following diversion procedures are consistently no worse than those following formal sanctions imposed by a *Hauptverfahren* (full judicial process); in fact they tend to be lower.

This is the appropriate context in which to refute the assumption that diversion measures are inappropriate as a reaction to violence on the part of minors – on the grounds that “nothing happens”. This assumption is erroneous. While judicial measures are indeed not used, the offence will trigger multiple reactions in the minor’s immediate social environment, and these will in most cases suffice for norm clarification. What matters is that the offender should be made aware of the wrongness of the conduct concerned and of the legal penalties that are liable to be the sequel. In most cases, repetition of the offending conduct can be successfully avoided by these means. This not infrequently happens in anticipation of or in the early stages of the investigative procedures, in the form of voluntary participation in violence-prevention projects, or of restitution, which may take the form of a Social Training Course or of a *full judicial process*.

At the same time, diversion is also a practical exemplification of the strategy of fast reaction in juvenile penal practice. This strategy – foreseen in the Juvenile Courts Act and accorded special prominence in § 72 Subsect. 5 – is integral to the educative principle. Given the dynamic nature of individual minors’ development, the crucial link between offence and reaction tends to be more readily appreciated when the reaction is swift. Judicial reactions, by contrast, particularly in the form of custodial sentences, still often come months after the offence, which is far too late, and are then perceived as a wrong inflicted without reason or purpose. From this perspective too, diversion is a preferable way of coping with criminality.

Formal Sanctions after an Offender has been Charged

For dealing with the more serious criminal offences committed by minors and violence by minors resulting in serious injury, the entire gamut of formal sanctions envisaged by the Juvenile Courts Act is available. These are imposed by magistrates after the minor has been duly charged. Under the Act they are classified as *Erziehungsmaßnahmen* (educative measures), *Zuchtmittel* (disciplining measures) and *Jugendstrafe* (detention in a young offenders institution). Depending on the impact interventions are intended to have, they will generally be designated as either custodial or non-custodial measures. In applying them, the law uses the strategy of *Priorität der früheren Stufe* (leniency before severity). This reflects the principle of proportionality and means in practice that any given measure may be imposed only if the next less severe measure does not suffice in terms of educative effect²⁸⁵. Thus, for example, *Jugendstrafe* as the “ultimate

285 see JGG §§ 5, 17

sanction” may only be imposed once other measures cease to offer prospects of educative effect.

The categories of “educative measures” (which comprise *Weisungen* [court orders] and educational assistance under the *Kinder- und Jugendhilfegesetz* [Child and Minors Support Act] – see Social Code Book VIII) and “disciplining measures” – i.e. *Verwarnung* (admonishment) and *Auflage* (conditional discharge with case-specific stipulations) – are non-custodial measures; *Arrest* (detention without criminal record) and *Jugendstrafe* mean custody. *Jugendstrafe* is detention in a *Jugendstrafanstalt* (young offenders institution) and is the only penal sanction leading to a criminal record (listing in the *Bundeszentralregister* [national central register]). All other measures are recorded in the *Erziehungsregister* (educative measures register).

Non-Custodial Sanctions

Weisungen (court orders) regulate the young offender’s behaviour by imposing or proscribing certain forms of conduct with a view to supporting and underpinning the educative process. The best known and most frequently used court orders are listed at *Jugendgerichtsgesetz* (Juvenile Courts Act; JGG) JGG § 10; compulsory work with educational value, supervision by a mentor, participation in a Social Training Course, and Victim-Offender Mediation/Dialogue as a form of restitution are especially widely used. But the list of possibilities is open-ended. Magistrates may select a measure not listed in the catalogue if it is deemed more appropriate to the educational needs of the young offender concerned.

Among the *Weisungen* or orders that may be imposed, one that can be singled out as a meaningful and effective measure against violent offending by minors is victim-offender mediation/dialogue. Its aim is a progressive defusing of the conflict situation to the point of reconciliation between the offender and the victim, which means that it can be described as a victim-focused strategy. This aim can be achieved by *Schadenswiedergutmachung* (restitution for losses/damage caused), *Schmerzensgeld* (compensation for injuries and/or suffering caused), apology to the victim, assistance or support for the victim, and similar actions. It is important that the confrontation between offender and victim should take the form of a face-to-face meeting or conversation, usually with a conflict mediator participating. A surprisingly large number of victims agree to attend. It gives them an opportunity to overcome fear and humiliation better than would be possible were the offender to remain an anonymous criminal. If the victim declines to participate, on reasonable grounds such as feeling psychologically unable to cope with meeting the offender face to face, the sentencing magistrate will consider a different sanction, such as work for a victim aid project. However, where the victim’s refusal to attend is unwarranted and the offender’s endeavours sincerely meant, the court may find the latter sufficient and

choose to impose no further sanction.

For offenders, these encounters seem to represent major hurdles, some individuals perceiving them as more onerous than a traditional sanction.

The normative place assigned to victim-offender mediation among *Weisungen* in general as a formal sanction is controversial, because success in a victim-offender mediation procedure is usually contingent on the voluntary factor. In practice, consequently, conflict resolution is most often achieved on a diversion basis. Nonetheless, the addition of victim-offender mediation to the Juvenile Courts Act list of *Weisungen* in 1990 represented a new departure in crime policy and must be regarded as a further trailblazing step in the direction of more prevention and more restitution in penal law.

Contrary to the expectations of those responsible for crime policy planning at the time of full adoption of victim-offender mediation – who had essentially envisaged it as appropriate to cases of theft, damage to property, and verbal abuse – over half of the cases assigned by State prosecution services or courts have in fact been offences of actual bodily harm, or at the low end of robbery with violence.

Here too, as in other reactions anticipated in the *Juvenile Courts Act*, the considerable discretion allowed to prosecuting authorities and courts results in wide variation in actual practice across the different German states and regions. The possible applications for victim-offender mediation have by no means yet been fully explored.

The Social Training Course too is capable of instilling due respect for the bodily integrity of other human beings. Such courses afford abundant opportunities to gain young people's confidence, and in turn to instil knowledge and thoughtfulness. They may be experience-centred – taking the form, for instance, of an extended climbing expedition in the mountains, mentored by social education professionals, or offering participants the group experience of crewing a large sailing vessel. Again, the approach to the course participants can be learning-centred, i.e. presented as a kind of seminar involving violence-related topics. Social Training Courses in various forms are widely used, and years of experience have proved their potential for teaching minors empathy and an appreciation of the importance of socially responsible behaviour (► Ch. 2.3 “Youth Services”).

Of the disciplining measures, *Anflagen* (stipulations attached to a conditional discharge) are the most important. They include obligatory work spells (community service), payment of a sum of money to benefit a common-good institution, apology to the victim, and restitution, to the best of the offender's ability. Fines apart, the community service orders are the most widely used sanctions in juvenile penal practice. They differ from the work service orders issued under the educative provisions (*Weisungen*) in that they are not designed to relate to the particular offending behaviour concerned, and require no mentoring

by social education professionals. Even on policy grounds alone, community service orders are thus easier for a court to impose in the form of *Auflagen*, because these are not subject to additional constraints in the same way as *Weisungen*. In spite of these simplified aspects, the community service Auflage still remains better suited than fining or imprisonment to induce empathy and constructive review of the offending behaviour.

One problem with non-custodial measures in as far as they affect young people with ethnic background is that inadequate linguistic competence in German rules out the many programmes involving a large element of verbal communication. First remedial steps have been introduced – in the form of anti-aggression training conducted in Turkish – but these are still too few (► Ch. 2.3 “Youth Services”).

Custodial Sanctions

The custodial sanctions of *Jugendarrest* and *Jugendstrafe* (detention in a young offenders institutions – see also above and below for definition) have very high recidivism of up to 78%. This in itself means it would be unjustifiable for penal policymakers to expect subsequent good conduct. The Juvenile Courts Act (JGG) strategy is accordingly to avoid custody as far as possible. Apart from the principle of custody being used only as a last resort – i.e. when educative measures and *Auflagen* no longer suffice²⁸⁶ – the law also requires implementation of a sentence to be avoided when there are educational grounds for suspension. The court, in its capacity as implementing instance, can wholly or partially rescind the implementation order should circumstances arise subsequent to sentencing that justify such non-implementation of the sentence on educational grounds²⁸⁷. The *Jugendstrafe* sentence imposed may be suspended for a probationary period if there is felt to be a reasonable prospect of the minor concerned responding to the sentence pronounced by good conduct, even if the sentence remains suspended²⁸⁸. Even the actual pronouncing of a *Jugendstrafe* sentence²⁸⁹ and – where part of a sentence has been served – the remaining part of that sentence may, for educational reasons, be suspended on condition of good conduct. A further point is that custodial measures, as opposed to non-custodial, are much more expensive, costing many times more per sentenced detainee than non-custodial measures per probationer.

Jugendarrest is detention for a period not exceeding four weeks. Sentence options available are *Freizeitarrrest* (leisure hours detention) on two or four days, *Kurzarrrest* (short-term detention) for up to four days, or *Dauerarrrest* (full-period detention) for from one to four weeks. The *Ungehorsamsarrrest* sentence (non-

286 JGG §§ 5 Subsect. 2 and 17 Subsect. 2

287 JGG § 87 Sect. 3

288 JGG § 21

289 JGG § 27

compliance detention) is a sanction used in cases of failure to comply with *Weisungen* or *Auflagen*, and is not relevant to the present context.

The severest penalty is *Jugendstrafe* for a period of up to ten years. The minimum *Jugendstrafe* sentence is one of six months. *Jugendstrafe* of under two years may be suspended on probation if the prognosis for the minor's future development is favourable. This happens in about 70% of the cases in which a *Jugendstrafe* sentence is imposed.

2.5.1.5 Juvenile Court Practice

Actual use made of diversion, the informal means of disposal of an *Ermitlungsverfahren* (case investigation procedure) once initiated, varies extremely widely from one federal German state to another, within individual states, regions, *Gerichtsbezirke* (legal jurisdictions), and even within the decisions of a single court or prosecuting authority. The differences do not arise from regional variations in crime levels, variations in the criminal inclinations of individual offenders, or differing degrees of culpability in individual cases. They seem to be caused by differing use made of the discretion allowed. That in turn points to ignorance or deliberate disregard of relevant academic research findings. In view of the constitutional obligation to afford equal treatment to all, these differences verge on the unacceptable.

The differences of practice in the use made of diversion are substantial. The figures range from 50% in one state to 85% in others. Since 1988 they have averaged just under 70% across Germany as a whole. Re-offending figures following diversion are relatively encouraging, and certainly no worse than the corresponding figures for formal sanctions. The implication for judicial practice is that any decision to impose a formal sanction needs to be supported by demonstration of why it is the better option in the case in point. Otherwise the principle of proportionality dictates use of the less drastic intervention.

The satisfactory outcomes associated with diversion practice argue for increased usage of the available options. In addition to improved outcomes in terms of offenders' future good conduct, a higher proportion of diversions would bring the benefits of reductions in legal and enforcement costs and in the workload of courts and prosecution services. The practice followed by prosecution services could be influenced to this end by way of the guidelines on use of diversion procedures. While these guidelines are not binding upon the courts, they nevertheless influence court practice. Almost all the German federal states have such guidelines. Those in force for the nation as a whole have model character, but are not binding on the prosecution services operating in the individual states.

The relative frequency of use of the various formal reaction options is likewise far from fixed. First place, at almost 60%, is taken by non-custodial disciplining

measures, esp. *Auflagen* specifying community service or a fine. These too are primarily of a norm-clarifying character, though they do have elements of punishment. The current heavy use made of these sanctions, particularly the imposition of fines, should prompt careful scrutiny of their effectiveness. While they bring a case to a speedy and uncomplicated conclusion, their effectiveness in regard to subsequent adherence to the law is open to doubt.

Weisungen aiming to regulate the conduct of young offenders constitute about 7% of sentences imposed. By working to minimise negative factors and enhance positives, they are more successful than custodial sentences in assuring subsequent good conduct. Increased use of the *Weisung* option in practice appears desirable.

For this to be possible, however, there would need to be nationwide coverage by institutions, projects, groups and associations working under the aegis of the child and youth services to provide non-custodial young offender services on a professional basis. In an area which has no victim-offender mediation or Social Training Course projects of its own, the court cannot have recourse to these non-custodial options even where they would have obvious merits in individual cases. The relevant infrastructure is not widely enough available. This applies particularly to rural areas. It would be appropriate for the funding burden to be borne by the judicial system, given that use of non-custodial measures saves it considerable expenditure. The fact that for years past this step has not been taken, even in the face of the lower re-offending statistics that further strengthen the case for preferring non-custodial options, seems to be attributable to a conviction on the part of professional jurists working in legal administration and the judiciary, but not trained in the issues of concern here, that measures of a social-education nature are not generally appropriate for penal interventions. This mindset is blind not only to the prospects offered by non-custodial strategies but also to the fundamental intentions of the Juvenile Courts Act.

As indicated above, one important reason for the shortfall has to do with the difficult funding situation affecting many non-custodial projects. State judicial authorities taking the view that the financial underpinning of such projects cannot be a responsibility of theirs – although the nature of the task suggests otherwise – and youth offices in many cases likewise expressing unwillingness, or feeling unable on cost grounds to provide support, it follows that projects of this kind, mounted by independent providers, tend to be dependent on subventions – particularly from local authorities – and on charitable giving. Providers who find themselves forced year after year to re-think and re-organise the mainstream funding for their project cannot reasonably be expected to give continuous, wholly focused attention to the real task in hand. Many projects of great promise are living from hand to mouth financially – or have already succumbed. The problem could be made less acute through costs participation by

the judiciary, which stands to make considerable savings from the reductions in custodial responsibilities achievable through non-custodial alternatives, or at least through a desirable increased uptake of non-custodial alternatives.

The situation could be further eased by stepping up the flow of communication between the judicial authorities and the child and youth services. It should be a matter of course for prosecuting authorities in the young offender field to be exchanging ideas and experience with juvenile courts on a regular basis. This would enable information gaps to be avoided, prejudices to be diminished and improvements in sentencing and implementation to be achieved. And still further benefits would accrue if the magistracy and prosecuting authorities in this field were to familiarise themselves with the requirements laid down in the Juvenile Courts Act.

Of formal sanctions imposed, some 18% are *Jugendarrest*. A *Jugendarrest* sentence cannot be suspended on condition of good behaviour, but the court can choose to refrain from implementing the sentence, wholly or in part. The *Jugendstrafe* sentence likewise accounts for about 18% of sentences, while 12% impose a period of probation. That means that the minors concerned are spared custody, subject to specific probationary conditions. If they violate the conditions imposed, the suspension of sentence can be revoked. A *Jugendstrafe* sentence which has not been suspended must be served in full, except in cases where the convicted offender is released early on the grounds that a favourable prognosis makes such action appear justifiable.

Comparison of sentencing practice in 2004, as described here, with that of earlier times shows that sentencing of young offenders is making more and more use of non-custodial reactions and has been cutting progressively back on sanctions involving deprivation of liberty. This trend reflects the current state of knowledge reached by international and national criminological research in the quest for a rational design for a judicial system appropriate to young offenders, and is accordingly to be welcomed.

Recently, however, particularly in connection with offences involving violence, and in the unjustified hope of thus reducing violent criminality, a trend towards more frequent and heavier custodial sanctions has become apparent. If one accepts the premiss that acts of violence – discounting the mild physicalities that typically accompany disputes among minors – are predominantly a consequence of exclusion, absence of hope for the future, failure at school, violence suffered at the hands of others, and similar social and individual negatives – as observed, for instance, in the case of young non-integrated or inadequately integrated ethnic German or other immigrants – it will be evident that severe punishment does not serve to ease the complex of problems and in fact is more likely to make matters worse.

The application of *Jugendstrafrecht* (Juvenile Penal law) to *Heranwachsende* (the 18-to-20 age-group), long a disputed issue in the debate on crime policy, finds

varying degrees of acceptance in penal practice. The strategy of seeking the cooperative involvement of young people who have not yet completed their personal development is an internationally recognised one and is recommended for adoption²⁹⁰. As with diversion, uptake rates vary from region to region within Germany. At the time the relevant § 105 was incorporated in the Juvenile Courts Act in 1953, the average uptake was about 21%; over the years it was to increase to over 60%. It is striking that for serious cases, in which expert witnesses are generally called in – e.g. robbery with violence or manslaughter offences – the uptake rate exceeds 90%. In dealing with offending 18-20-year-olds, then, accused of non-trivial offences, professionals work almost regularly on the basis that the individuals concerned have not reached full maturity. In terms of crime policy, this suggests a presumption of a general degree of immaturity affecting young offenders of the 18-to-20 age-group: while they have attained the legal age of majority, they have as a rule not yet reached social maturity. For these individuals too, the fine tuning made possible by the range of reaction options provided for in the *Jugendgerichtsgesetz* (Juvenile Courts Act) gives much better prospects of a successful period of probation than would the rigid punishment regime of imprisonment or fining that could be expected under adult law.

Many contributors to the ongoing debate on crime policy have spoken out in favour of changes to this legal position. Their arguments tend to adhere to the populist level. The contention is that persons old enough to vote in elections and sign legal agreements must also accept the full legal consequences of any criminal offences that they commit. The counter-argument advanced by experienced practitioners in the field is that account must be taken of the degree of maturity attained by the specific offender at the time of the offence. This approach is underpinned by scientific evidence from research in developmental psychology, education and sociology that the maturing process continues up to the beginning of the third decade of life.

2.5.1.6 Youth Justice Administration: Personnel and Training

The judicial system relating to minors is administered by dedicated benches of magistrates and dedicated prosecutors. Under § 37 of the Juvenile Courts Act these men and women are expected to have competence as educators and be experienced in youth education. Criminal legal training alone cannot satisfy the requirements profile prescribed in § 37 of the Juvenile Courts Act for work in the youth justice system. Neither the legal studies nor the trainee period provide sufficient engagement with the specific circumstances and requirements of youth justice. A legal qualification lacking a foundation in (for instance) juve-

290 cf. the UN Standard Minimum Rules, the "Beijing Rules" and the Council of Europe's recommendation R (87) 20

nile criminology, education theory and psychology cannot fulfil the requirements specified by § 37 of the Juvenile Courts Act.

Training provided on a continued professional development basis for prosecutors and magistrates dealing with young offenders cannot easily replace the relevant lacunae in university and traineeship background. In many cases legal practice allows no time for professional development courses. The impression is sometimes given that the specialisms of youth justice are just so many more routine ports of call for junior magistrates and prosecutors to add to their CV, with the result that a professional development course in these areas often seems not worthwhile. The practice of work allocation at the direction of the court President cannot always remedy these regrettable situations. Presidents frequently seem to have been obliged to apply other criteria to case allocation than those in § 37 of the Juvenile Courts Act. Similar circumstances can be seen to affect the allocation of work to the prosecution services.

Case allocation as it operates in practice not infrequently bundles competences in individual professional specialisms without distinguishing between young and adult accused. Thus for instance, all road traffic-related or narcotics-related offences occurring in the court's case-list may be grouped together, so that the magistrate(s) and prosecutor(s) for the field in question will be expected to deal with juvenile offenders as well as adults. On occasion this leads to juvenile offences being judged on criteria that are not appropriate for young offenders.

Court practice of this nature, which undermines the aims of the Juvenile Courts Act, could be constructively challenged by the formation of *Schwerpunktgerichte* (special-focus courts), which would be area juvenile courts in the sense of the Juvenile Courts Act § 33. Regrettably, Hamburg has recently taken a step in the opposite direction by doing away with its area juvenile court, even though its value had been proven over the years. The undesirable consequences feared at the time seem now to be manifesting themselves.

In the context of the ongoing debate on crime policy, it has long been urged that a Youth College should be established with a view to improving the training and continued professional development of personnel concerned with juvenile court proceedings. In 2002 a resolution to that effect was adopted by the Association of German Jurists. It has the support of the *Deutsche Vereinigung für Jugendgerichte und Jugendgerichtshilfen* (German Union for Juvenile Courts and Juvenile Court Help inc.), a learned society dedicated to research on the causes and effects of juvenile criminality. Yet the proposal is still waiting even today to be put into practice. In the interim, however, following an initiative from the *Deutscher Richterbund* (Association of German Judges and Public Prosecutors), the German Union for Juvenile Courts and the universities of Magdeburg and Hamburg jointly set up the *Netzwerk Jugendakademie* (Academy for Youth Court Proceedings), and within this network they began work in 2006 on the project of the long-demanded academy itself.

In terms of numbers of appearances, there is less involvement of defence counsel in juvenile than in adult criminal proceedings. This circumstance gives all the more reason for concern because minors are less adept in self-defence and less capable of cogent argument than adults, as well as being notably disposed to confess to offences – even offences that they have not in fact committed. This would warrant a higher rate of defence involvement than for adults. Yet in the *Amtsgerichte* (approx. = county courts) it is actually considerably lower. The *Jugendgerichtshilfe* (youth services in youth court proceedings) and *Jugendhilfe* (child and youth services) working in this area of the law have no power to remedy the problem. This state of affairs means that insufficient account is being taken of § 140 Sect. 2 of the *Strafprozessordnung* (German Code of Criminal Procedure), which requires a defence counsel to be engaged if the accused is manifestly unable to defend him- or herself.

A further important factor in the inadequacy of defence provision in the *Amtsgerichte* is that while these courts, in their capacity as *Jugendschöffengericht* (juvenile court with lay judges) enjoy comprehensive jurisdiction and the same sentencing powers as the *Landgericht* (approx. = regional or crown court), yet are not subject to the same statutory obligation as the *Landgericht* to provide for a defence. A possible remedy would be to extend the list of instances with compulsory defence provision²⁹¹ to include the *Jugendschöffengericht*.

In juvenile penal procedure, alongside the three constituent elements found also in adult procedure – prosecutor, court/bench, defence – there is also a fourth active participant, the *Jugendgerichtshilfe* (youth services in youth court proceedings), which collectively has its own participatory obligations and rights. This service has the duty to bring the social and educational aspects of the minor's current situation and developmental stage to the awareness of the court and to advocate appropriate measures. It must receive advance notification of the trial date, and its representative(s) will be called upon to address the court. The youth services work in youth court proceedings on behalf of the court. It has the duty to advise the court and assist it in reaching its decision. At the same time, however, it has a pastoral obligation vis-à-vis the minor concerned. It explains the proceedings to him or her and provides guidance on conduct during the hearing. This requires the placing of confidence by the minor in the youth services' personnel – who nonetheless are obliged to disclose their knowledge to the court. Thus the service is forced to play an ambivalent role; and this can and does have harmful consequences.

The youth services in youth court proceedings are the responsibility of local authority *Jugendämter* (child and youth offices). These offices may be differently organised according to the authority they belong to: some as a special service, some as a branch within general youth services. Youth services personnel need

291 *Strafprozessordnung StPO* § 140 Subsect. 1 No. 1

to be adequately informed about the specific requirements of the Juvenile Courts Act and to understand the criminological specifics of juvenile criminality. They should be in regular communication with the prosecuting service for offences by minors, and with the juvenile court. This point takes on particular importance during the *Ermittlungsverfahren* (case investigation procedure) when there is a need to secure bail for the accused. Even at the beginning of the preliminary hearing and without a prospect of the accused being remanded in custody, this level of communication remains important, as the youth office or the representative of child and youth services attending the hearing is obliged under Social Code Book VIII § 52 to ascertain in good time whether the juvenile offenders concerned are eligible for those services provided by the child and youth services that justify a diversion measure – and to notify either the youth prosecution service or the juvenile court without delay. At the full hearing, the youth services is expected to comment on the sanctions to be imposed. Integration of the youth services in youth court proceedings into general youth services might well have an adverse effect on the level of competence at which these special responsibilities are discharged.

In some cases the reports on the educational and social aspects of the minors' situations and the recommendations of the youth services are not adequately taken into account by the court. This sometimes leads to an illegal situation in that the youth services neither takes part in the proceedings nor contributes a report on the educational and social aspects of the minors' situations. This can constitute grounds for an *Aufklärungsriige* (plea that the court failed to give clarifying directions). A clarification of this point at SGB VIII § 52 could dispel the misunderstanding concerned.

The Juvenile Courts Act prescribes the involvement of lay magistrates. In proceedings against minors, the lay magistrates present at the full hearing must include one man and one woman. They are expected to have competence as educators and be experienced in youth education. The system of having the lay magistrates panel selected by local councils could be improved by selection of applicants conforming more closely to the qualifications required by the Act.

2.5.1.7 Current Proposals for Reforms to the Juvenile Criminal Law

Since the 1990 amendment of the Juvenile Courts Act, a large number of changes to the law have been proposed. Most of the proposals for change have come in the wake of an individual spectacular case or a rise in crime figures as recorded in official police statistics. The principal demand is that the law should be made more stringent and general penal law applied more regularly to the 18-20 age-group. Specific examples include an option to impose a so-called *Warnschussarrest* (warning-shot detention) in conjunction with a suspended juvenile sentence; an increase in the maximum *Jugendstrafe* term of imprisonment to 15 years; and diminished application of juvenile criminal law in hearings

involving 18-20-year-olds. Met time and again with united resistance from qualified professionals, these demands have to date not been implemented. The professional view is that such changes are unwarranted. Research by criminologists on the effect of sanctions gives reason to fear that introducing them in the context of juvenile criminality would if anything have a retrograde effect on prospects for subsequent good conduct. Be that as it may, a bill favouring such reforms originated in the *Bundesrat* (upper house of the German parliament) during the last legislative period (*Gesetzentwurf zur Verbesserung der Bekämpfung der Jugenddelinquenz* [Bill for Improved Measures against Juvenile Delinquency]²⁹²), and in 2006 was again tabled in the Bundestag (parliament lower house)²⁹³.

The opposing point of view is contained in the detailed proposals drawn up in 2002 by the Association of German Jurists and the *Deutsche Vereinigung für Jugendgerichte und Jugendgerichtshilfen* (German Union for Juvenile Courts and Juvenile Court Help inc.); based on scientific knowledge and practical experience, these proposals seek further extension of the reform that began in 1990 with the First Amendment to the Youth Courts Act. A draft bill originating in the Federal Ministry of Justice in 2004 shares these aims. However, it is a much less comprehensive document than the two sets of proposals put forward by the professional bodies. It owes its inception to a German Constitutional Court ruling of 16 January 2003 on an issue of parental rights in juvenile criminal cases; apart from recommending an appropriate change to the rules, it merely re-examines the old problem of how to define the educational principle incorporated in the Juvenile Courts Act.

The proposals put forward by the *Bundesrat* (upper house of the German parliament) and the Federal Ministry of Justice contain no remedies for the deficiencies in the youth justice system that we have described. The Federal Ministry of Justice bill does make a commendable attempt to disentangle the educational principle from the incubus of a pedagogical concept of education and to give it an iconic status marking the primary focus of the Juvenile Courts Act on the mere avoidance of recidivist behaviour as the declared objective.

The resolutions put forward by the two professional associations include extensive proposed changes and additions relating to such issues as the value of conflict resolution outside the courtroom, initial and continued professional training of personnel working within the judicial system, the place and contribution of youth social workers in juvenile court proceedings, the conduct of defence in juvenile criminal cases, the preferring of informal case disposals, and the legal consequences system. These changes and additions would largely eliminate the deficiencies mentioned above, and would ensure implementation of the further development of the reform – as called for in 1990 by the Federal

292 Parliamentary Paper BT-15/1472 dated 06.08.2003

293 BT- 16/1027 dated 23.03.2006

government and the *Bundestag* – on the lines of the First Amendment (1990) to the Juvenile Courts Act.

The decisions that must be taken in the near future, in favour of the proposals put forward by the *Bundesrat*, or in favour of those put forward by the Federal government and the professional associations, should not be taken on the basis of populist political considerations, but rather on the basis of solid research findings and many years of practical experience. The knowledge is there to be used.

2.5.1.8 Concluding Remarks

From the point of view of a crime policy that aims to contribute usefully towards prevention of juvenile disposition to violence and commission of violent acts, it is desirable that the existing comprehensive and diverse range of good options available under the existing legislation should be competently applied, that the deficiencies in the infrastructure of non-custodial projects and court practice should be eliminated, and that priority should be given to the further development of an educatively oriented reform of the Juvenile Courts Act. The Juvenile Courts Act is in no way a product of “better times”, for when it was first codified in 1923 and when updated in 1953 and 1990 it offered a helpful response to young people who were socially and educationally in dire straits. That response has proved itself nationally, and internationally is regarded as exemplary. Against such a background, there is no requirement in Germany for hasty, ill-considered changes to the law, changes that are essentially knee-jerk reactions to isolated spectacular cases and incidents.

There remains the problem of how to achieve lasting acceptance of these insights in the political and public domain. Under the influence of sensationalist crime reporting in the media, the public and their politicians tend to have rigid and repressive views on the issue of juvenile criminality, in marked contrast to the professionals working in this field. To close the knowledge gap responsible for this mindset will be a major challenge. Among other things, it will be essential for research results to be lucidly organised and presented.

However, there is no alternative to the ceaseless endeavour to propagate scientific knowledge, most of all during times of active efforts via the crime debate to bring about reform moves, as at present. For that long endeavour, those best able to contribute are scientists, professional associations, and the relevant civil service departments and Ministries. At the same time, politicians have the responsibility, in the context of the issues discussed, to pay due heed to the needs and special characteristics of the youth generation. That constitutes an important task for the future. That demands a new culture in relations with young people. For adults, it is not enough to see only the problems that young people bring with them – the problems they have brought since time immemorial. They must also have an eye for the difficulties that their own current ar-

rangements governing community life are creating for young people and the world they will live in. In terms specifically of juvenile criminality, this means taking cognisance of the knowledge built up by the professional workers in the field, and making that knowledge the basis for determining appropriate reactions to juvenile delinquents.

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2.5.2 Strategies of Violence Prevention in Juvenile Custodial Practice

2.5.2.1 The Legal and Institutional Context

§ 91 of the *Jugendgerichtsgesetz* (Juvenile Courts Act) requires that a young person serving a custodial sentence should be educated to “subsequently embrace a law-abiding and responsible way of life”. The expectation in the case of adult prisoners is that attainment of the corresponding aim should be facilitated by maximum possible approximation to the conditions of ordinary life outside prison, by measures to combat the harmful effects of imprisonment (here the aggravation of aggressive behaviour and aggressive attitudes) and by help with reintegration into life in freedom. From one point of view, the debates as to the constitutionality of the present regulatory framework for juvenile custody, and likewise the future devolution of custodial practice to the individual German states, may be open to criticism with regard to the development of agreed standards for the support to be offered. In a judgement dated 31 May.2006, however, the Federal Constitutional Court laid down fixed parameters governing legislation to be enacted by the states on juvenile custodial issues, and in view of the funding debate it will be important to keep pressing for full observance of these requirements.

General background information for the positive special preventive component of juvenile custodial sentences is supplied in the form of the Sentence Plan, which is based on the detainee management assessment undertaken at the start of the period of custody. It includes e.g. information on accommodation, training, work, regime relaxations, and preparation for discharge. These individual sentence plans and practical support measures on the one hand, and higher-level support concepts on the other (e.g. concepts developed for the individual institution or department), together with associated start-up and follow-through organisation, collectively constitute the standard framework of reference for planning and scheduling aggression-preventive and -interventive targets and measures.

For state-run subsystems such as penal institutions and closed psychiatric institutions the concept of the “total institution” was formulated, denoting an establishment characterised in its notional extreme form by a high degree of segregation from the outside world, notably hierarchical and authoritarian leadership structures and living arrangements, and partially desocialising adjustment techniques. Additional features are the concentration of young individuals with negatively sanctioned deviant behaviour partially habitualised in the course of juvenile custody, the diminishing personal autonomy of detained individuals in consequence of unvarying daily routines, other-directed care and

supply maintained by institutional systems (clothing, meals), extremely limited scope for autonomous living, and the automatically building dynamic of the sentence history as something instituted by retributive justice, not by the child and youth services, with its well-documented generally punishing-and-caring approach. These structural impediments to provision of reintegration-focused, “socialising” and civilising support point to the need to avoid coupling violence-prevention measures during custody exclusively to measures for those detained, but rather, and as a matter of principle, to have due regard also to the structural prerequisites for educative action and to ensuring its sustainability. *Allgemeiner Vollzugsdienst* personnel (approx. = HM Prison Service) are by far the largest staffing category concerned, with duties centred in supervisory, educational and provisioning functions; given their physical and also social nearness to the detainees, they have a central role in the creation of a supportive atmosphere over and above the running of day-to-day institutional life. This group must be considered with particular care during the process of developing violence-preventive strategies for use in the context of juvenile custody.

Aggression-Relevant Starting Situations of Young Detainees

As of 31.03.2005, the 7061 individuals detained in juvenile custody (including those sentenced under § 114 of the JGG²⁹⁴) comprised 3422 *Heranwachsende* (18-20 age-group), 2912 adults (21-24 age-group), and only 727 aged 17 or younger. The latter represent a small minority – seldom exceeding 10% – of the total numbers in custody at any one time. While it is thus hardly appropriate to speak of “juvenile” detention in the strict sense, the Constitutional Court in a ruling dated 31.05.2006 expressly – and with reference to what it called *Heranwachsende* (18-20 age group) offenders who are at the *Jugendliche* (juvenile, specifically 13-17) developmental stage – emphasised the different natures of juvenile and adult custody and the special responsibility borne by the state for the continued development of the individuals concerned. Special mention was made of social learning and its particular importance for violence-prevention, and of measures to facilitate future integration into the world of work.

Four major detention-specific combinations of factors relevant to violence and aggression may be enumerated:

a) Concentration of the norm-breaking peak of young individuals with a latent disposition to violence in a youth prison

Their offence-structures display clear changes over the period 1980 - 2002. The proportion convicted of theft offences fell to 32%. Sexual offenders – subject of much public attention, but a small category – likewise made up a smaller proportion of the total (falling from 4% to 2.9%). Violent offences defined as robbery with violence and deliberate bodily harm showed steady increases

294 Jugendgerichtsgesetz (Jouvenile Courts Act)

(robbery with violence from 17.7% to 22.8%, bodily harm up from 0.6% to 15.3%). The proportion of manslaughter offenders in 2002 was 5.4%. Taking the figures together, the period defined above witnessed a near-doubling of offences of violence, from 25.5% to 46.4%.

Teaching and learning provision for young detainees is rated as generally unsatisfactory and representing little scope for positive stabilisation in the sense of social and vocational integration after release. With regard to male detainees there are reports of prior disintegrative processes (excessive aggression, school truancy, abandoned apprenticeships, persistently workshy attitude, sustained offending). The background for female detainees is characterised by problematic family circumstances, broken parental families, alcohol and medicinal drug dependence of both parents, exiguous material resources – though a few individuals had been massively over-indulged – violence within the family, early sexual abuse, drug-taking, spending-money prostitution, running away from home, spells in institutions, early criminality, and in some cases long offending records.

b) Concentration of utterly disparate ethnic and national patterns of expectation and behaviour without adequate means of verbal communication

In West German juvenile detention facilities, up to 20% of those in custody are *Aussiedler* (ethnic German immigrants) and a further approx. 40% are “non-Germans” (meaning foreigners and stateless persons). Given the large number of countries of origin represented – in the case of remand centres amounting to 60 and more – national and ethnic tensions can easily arise, and sometimes open conflict. Insufficient or non-existent means of verbal communication as a result of the multiplicity of languages and dialects, a host of differing religious affiliations and ritual requirements, dietary prescriptions and prohibitions affecting believing detainees, and differences between specific ethnic and/or religious identities are indicators of further conflict areas that can spark aggression.

c) The substantial increase in the already high potential for violence inherent in the “free” drugs market in the subculture situation of “normal” youth prison custody

The drugs problem among young detainees has worsened appreciably. Young persons held in custody following drugs-related offences amounted to 9.3 % of the total. These are not necessarily identical with the clientele of the addicted. The latter are estimated to constitute up to 30% of male and up to 70% of female detainees, or more depending on type of sentence. Under detention conditions, those who have not previously used drugs may become addicted. Potential triggers for aggression and violence include withdrawal phenomena and the consequences of drug-taking within the detention centres (pressure on relatives, friends and others to procure drugs and smuggle them in, indebtedness to fellow-detainees as a result of the need to fund personal drug use, and

the generally violent means used to collect these debts in the event of failure to repay them punctually).

d) The increase in the inherently high latent potential for violence to acquire attractiveness as a result of peer-group contacts in the subculture situation of youth prison custody

Over the course of a period in custody, groupings among fellow-detainees grow in social importance. Many activities are designed to win acceptance from such groups, which serve as models of context-appropriate behaviour. Breaches of the institution's conduct rules, criticism of staff and of rules, and aggressive conduct are all positively reinforced. Conventional social behaviour norms are rejected and/or subjected to negative sanction. It is uncertain whether these situative adaptation patterns persist after release in the sense of the layman perception of prison as a "school for crime". It is rare for young multiple offenders to be observed to completely avoid former, delinquent peer-group contacts after their release. The peer-group remains the most important identification group for many in the 18-24 age-groups, particularly among the unmarried. Substantial contingents of young detainees are virtually without prospects of returning after release to intact families or non-delinquent circles of friends. Potentially helpful partner relationships are broken off after a short period in custody. Contact with the family of origin is the exception rather than the rule for many detainees. This applied only to offenders on probation who had such persons to turn to in the first place. The problem of the failure during detention to stabilise such aggression-checking and/or pro-social behaviour patterns as may have been acquired points to the need for post-custodial mentoring in the sense described above. Heterogeneous educational backgrounds and the enduring burden of a record of offending mean that violence prevention in the custodial context must face the challenge of tailoring such programmes as may exist to suit specific target groups, and to adapt them to the perspectives of young detainees both while serving sentences and after release, so as to make mutual understanding possible and ensure transfer effects.

2.5.2.2 Forms of Aggression and Violence in Youth Prisons

One distinct category is represented by aggressive behavioural attitudes of young detainees that manifest themselves in violence-oriented offences or in everyday life and are brought into the custodial context by the individuals concerned after sentencing. A second category comprises (aggressive) behaviour patterns generated, or strengthened, by the structures encountered in a detention centre. The constraints of institutionally underpinned conformity and subordination, and of a high degree of de-personalisation, disenfranchisement and subjection to administrative processes, may produce a fertile soil for the growth and persistence of subjugation, compensation behaviour and aggressive or violent behaviour. Thirdly, there is the possibility of violence transferred out

of the institution and outliving the period of custody. Alongside aggression motivated by rage, irritation or frustration, forms of instrumental aggression are fostered by restrictions on the availability, and increases in the cost of, everyday things such as cigarettes, chocolate, toiletries, particular branded clothing items, etc., because possession of such goods confers status and acceptance but also fosters the propensity to take them (forcibly) from others.

Violence is liable to occur in any of the following personal and interpersonal situations within the communal structure of a detention centre:

- individual detainees alone (e.g. self-harm and wilful damage/destruction),
- detainees amongst themselves (e.g. forms of verbal aggression, bullying, threats of violence, forcible subjugation of weaker by stronger in the pecking order, blackmail, pressure on day-release detainees to procure drugs),
- detainees against staff (e.g. abuse, actual threats, mutiny, hostage-taking),
- detainees vis-à-vis outside persons (e.g. by arrangement with third party),
- staff against detainees (“doings-over”)
- staff amongst themselves.

There is almost no documentation of the forms actually taken by aggressive action and violence in juvenile penal institutions in Germany, or of the dimensions of the problem. Accounts of individual incidents, memoirs of former detainees and random empirical data together constitute the current state of knowledge. Phenomena reported as typical in custody centres include: initiation rites, brutal games, infliction of physical injury, duress used for enforcement of positions and roles in the detainee pecking order, forcible debt collection by means of beatings-up, robbery with violence, or destruction of property, if debtors are prevented by shortages of desired “consumer goods” (tobacco, drugs, alcohol etc.) within the institution’s informal economy from keeping up with their debts – driven higher all the time by usurious lending rates – by pawning purchased goods; by sporadic incidents of destruction of accommodation, arson, and rebellions, all as reactions to what are perceived as unacceptably oppressive intrusions into personal rights and freedoms and personal privacy, and sometimes homosexual rape or sexual coercion (primarily in juvenile detention centres, if at all). These acts of violence make up a very small proportion of all norm breaches that become known and incur sanctions within the institution (between 1 and 2%). Of those in turn only a small proportion come to the knowledge of the prosecuting authorities. The presumption must be that there is a large area of silence within which acts of violence committed by detainees against each other, and by staff against detainees, are hushed up and/or condoned within the subculture.

The degree to which violence-related structures and interactional patterns are preserved and consolidated depends to a significant extent on two determinants:

- behavioural dispositions and previous experience of violence that have been brought into the subculture from outside;
- measures taken by the institution to counteract a hostile atmosphere or climate of violence (regime relaxations, participation and involvement for detainees).

One component of aggressive acts and use of violence in the juvenile detention context may be diagnosed, even if it still eludes precise definition, as a reaction to conditions encountered, and may in appropriate cases be influenced through modification of the conditions under which detainees are held.

A further four factors appear to contribute to the entrenchment of subcultural structures and the associated violence-related interactions:

- Overcrowding of detention centres in combination with diminishing staffing and material resources (increased stress levels among staff and detainees alike, deterioration of the general atmosphere, leading to heightened aggression),
- tighter security (under political pressure and/or following local “incidents”, e.g. assaults on staff by detainees),
- additional problems occasioned in their turn by the multiplicity of non-German-speaking detainees of different cultural background (concepts of honour, severely limited scope for verbal communication between the different ethnic groups etc.),
- the increased proportion of drug addicts and of those sentenced for drug-dealing, two groups particularly responsible for importing previous sub-culture experience into the institutions from outside.

Detainee practices that involve smuggling drugs and substitute substances, manufacturing them and/or dealing with them, and acts of self-harm, can also be understood as expressions of boredom, escapism, and rebellion against the institution’s conventions on behaviour.

2.5.2.3 Strategies for Violence Prevention and for Encouragement of Pro-Social Behaviour

Youth prisons currently take widely differing approaches to the issue of prevention and intervention in relation to violent behaviour. It has been generally rare, in juvenile detention, for policy to be based in practice on fully-fledged (educational) “strategies” for prevention of violence and promotion of pro-social behaviour. However, there certainly are instances of individual concepts being applied in various institutions, departments and residential groups, also arrangements for defined offender groups (sexual and violent offenders; drug-dependent offenders). Within the context of wider strategies, there are a number of ways of engaging directly with problem behaviour, including the following:

- institutional approach: in part, through provision of dedicated departments handling sexual and violent offenders, some of them with relevantly qualified staff (e.g. the youth prisons JVA Adelsheim, JVA Wiesbaden);
- methodology: the use of aggression-specific interventive and preventive methods (e.g. the anti-aggression training given at JVA Hamelin and in modified form in other German youth prisons), also of resource-guided concepts for reinforcement of existing pro-social behavioural dispositions;
- concept development in the form of more ambitious, theoretically underpinned experiments in communal living as a (pro-)social learning environment (e.g. the “just community” at JVA Adelsheim);
- programme-related actions such as the creation of groups of aggression offenders monitored by psychologists (e.g. JVA Iserlohn), or programmes teaching how to reduce boredom and frustration-causing factors in daily life and leisure, but also through disciplinary measures and sanctions (using the scope given for this by the existing house rules, by means of temporary suspension of leisure time, or exclusion from learning opportunities, vocational training or leisure programmes).

Indirect strategic approaches include the following types:

- system-related: e.g. attempts (where reasonable prospects of success exist) to gain a school or vocational qualification with a view to enhancement of the prospects for lawful breadwinning after release (available in almost all institutions), or elements of transition management aimed at improving the circumstances in which detainees live after release (e.g. JVA Wiesbaden, the *Projekt Chance e.V.* (Project Opportunity Association), as an aftercare project for young ex-detainees released on completion of their sentence or released early without probation mentoring, or the MABIS-Projekt in North Rhine-Westphalia), or, again, the establishment of networks linking institutions, the youth services, educational providers and employers, and in conjunction with this the opening of institution gates to movement both inwards and outwards;
- staff-centred: projects and programmes leading to further qualifications (e.g. professional ethics workshop for *Allgemeiner Vollzugsdienst* [Prison Service] staff trainers in North Rhine-Westphalia, or continued professional development for staff on topics of “Communication-Cooperation-Decisionmaking” at JVA Rockenberg).

Many such activities being barely documented, there is a need for much research on current practice. Systematic evaluations of the various preventive and interventive approaches used during custody are almost non-existent. With regard to actual practice in psychosocial prevention and intervention, there is talk of “well-meant actionism”, but no verifiable impact studies can be adduced. (Team) supervision, Balint groups and similar in-service staff mentoring are only sporadically encountered. One major problem is the inadequate flow

of information both internally and between institutions, and similarly there is widespread failure to engage in mutual exchange of experience and ideas with schools, educational support providers, and the (residential) facilities run by the youth services. Increased stringency of surveillance (e.g. following attempted breakouts) and growing distrust between staff and detainees – even after granting the importance of a sense of safety and security for everyday institutional life – are consequences that jeopardise all efforts to humanise the custody experience, turn it to positive ends, and promote reintegration into society after release. Together with acute staff shortages, diminishing material resources and increased political pressure, such developments point to a return to favour of a type of custodial care that accords primacy to security and discipline, albeit bringing in its wake a corresponding intensification of subculture violence.

2.5.2.4 Targets and Target Groups for Aggression-Prevention and - Intervention During Custody

Erziehungshilfen (socio-educational provisions) in the present context may be described as provisions co-constructively empowering the recipient to live life with due regard for his or her own rights and freedoms and for those of other human beings, to earn money lawfully even under suboptimal conditions, and to enter into and remain in satisfying and mutually supportive social relationships. The guiding principle of educative action during custody is Article 1 of the German Constitution: “Human dignity shall be inviolable”. No form of aggressive and/or violent behaviour that harms others can be compatible with this principle. Over and above this key philosophy, a number of aggression-specific prevention and intervention objectives can be enumerated: avoidance and inhibition of antisocial, aggressive conduct, positive reinforcement of appropriate and desirable social behaviour, and acquisition and control of social behaviour by learning from models. Proposals for a juvenile custodial practice designed to promote positive social attitudes and to reduce aggression cannot be submitted in isolation from its ambivalence about its own nature and ambivalent interpretation of the educational injunction enshrined in § 91 of the *Jugendgerichtsgesetz* (Juvenile Courts Act). Given that the basic thrust of juvenile custodial sentencing is “punitive” and disciplinary in character, it is important to emphasise the “transforming” character of the educative measures that are to be deployed. It is not a matter of young detainees adapting to given surroundings and institutional routines: the points of importance are attainment of personal maturity, responsible decision-making and autonomy, active self-directed learning and socially creative integration in life after discharge. It is not enough to respond to conflicts, quarrels, acts of violence with formal disciplinary sanctions alone: these things need above all to be worked through and made use of during the period of custody, with the help of mediation, conflict

resolution and victim-offender mediation/dialogue, as learning opportunities for behaviour options for use in freedom.

The distinction made above between aggressive attitudes brought into custody from outside, those partly generated by the conditions encountered in custody, and those that are brought away after custody ends, demonstrates the need for prevention and intervention strategies during the period of custody to take proper account of relevant circumstances prior to and subsequent to that period. This is largely a question of tertiary-stage prevention and intervention, because rule-breaking and offending (in many instances undetected anyway) have already been committed prior to institutionalisation and have been accompanied by their respective learning effects.

The direct target groups and dialogue partners in violence-preventive work in juvenile detention centres, viewed in terms of a biopsychosocial explanatory model, are in the first place the young detainees themselves and then their co-determination bodies, as the forum in which the broad theme of aggressive and violent behaviour used to impose the demands of self-interest, i.e. instrumental aggression, but also expressive aggression as a consequence of inadequate control, needs to be talked through again and again. They have to be made fully aware of the non-negotiable primacy of the civilised norms of community life under custodial conditions as elsewhere; they have to witness life with this priority lived out before them in exemplary and credible fashion and, furthermore, asserted and enforced, through the instrumentality of appropriate institutional, departmental and residential-group norms and specific support programmes, by interventions which set out to encourage, but also do not shrink from setting clear limits. Great importance attaches also to the men and women staffing the institute (particularly those of the Prison Service, who have the most constant and closest contact with the young detainees, but also the professional practitioners from education, psychology, medicine and social education, and the chaplaincy team): in theory, all these individuals work in close harness, their contributions meshing, with the overall task of shaping the institutional custody experience in everyday practice in a manner consonant with the upholding of human dignity, implementing this ideal through needful methodical actions based on daily mutual consultation. Those with directorial responsibility for institutions, and corresponding control over the custodial period's balance of empowerment and restriction, will either need to be persuaded of the opportunities, side-effects and unlocking of material and personal resources that flow from violence-preventive custodial policy, or, as the case may be, offered support in their espousal of plans of action tending in the same direction.

Target groups for indirect approach notably include the *Anstaltsbeiräte* (approx. = members of board of governors), who in their capacity as representatives of the public are in a position to support violence-preventive interventions and

innovations and to call attention to failings and support needs. Further groups in this category are parents, relatives and associates of the young detainees, in as far as they are capable of exerting constructive influence on the respective detainee's social integration. The personnel training centres attached to the individual state judiciaries have the expertise to brief Prison Service personnel – whose role is crucial here – on the priority assigned to prevention of aggression and violence, on principles of diagnosis, mediation and conflict resolution, and on intervention strategies. The federal states' Ministries of Justice, and in some cases the regulatory authorities, are important negotiation partners with regard to the granting of human and material resources for purposes of constructive custodial sentence design and of initiation and management of (educational) innovations relevant to the development of an "opportunity sentence" with violence-preventive characteristics, and at the present moment relevant also to the impending new legislation in the wake of the decisions on federalism. The relevant Ministerial bureaucracies must refrain from setting up the templates for the federal state legislation on youth sentencing either as economy models or – in variants that hasten to anticipate the demand – so as to provide a "tough regime", and instead follow the guidance of the Constitutional Court by structuring them "with particular regard to supportive effect", and also to put real effort into convincing departmental colleagues of the rightness of this approach. Particular attention should be paid to all violence-preventive and -interventive measures and planning opportunities, as freedom from violence and freedom from fear are the essential foundations for the reciprocally determined objectives of the realisation of social integration as the purpose of sentencing and of the state's protective duty to ensure the safety of all citizens.

Training establishments, employment providers and other institutions must be involved as far as at all possible in the reintegration of young detainees after release and must be encouraged to offer training or employment to these young people along with assurances of professional mentoring, with the aim of stabilising their first attempts to settle into norm-compliant work habits and social behaviour patterns. Probation officers and the youth services can contribute to the stabilisation of acquired positive behavioural dispositions by providing counselling and help in finding accommodation, indicating opportunities for work and employment, debt regulation, and help in coping with everyday conflicts (► Ch. 2.3 "Youth Services").

Politicians, the media and the public are important dialogue partners, who – most of all at this time of the federalism debate, the consequent need for new legislation, and also some problematic moves towards a more rigorous crime policy (*Kuschelpädagogik* [approx. = "soft on crime"]) – need to be persuaded of the desirability and sustainability of supportive, qualitatively excellent, comprehensive detention services in line with the modern understanding of effective schooling and residential special education. They also need to have it demon-

strated to them that the associated requirement for appropriate staffing and equipment is reasonable.

Sponsoring bodies both inside and outside the schools system are cooperation partners, particularly in areas with severe social problems, when it is a matter of using a detention period to gain knowledge of the early origin, maintenance, and reduction or abandonment of aggressive and/or violent behavioural attitudes, then feeding such knowledge into educational practice outside the custodial context and advice about avoidable errors in educational practice with available expert knowledge. Where there is sufficient identity of interest, schools and higher education institutions can offer fruitful cooperation in the development, trialling and evaluation of sustainable, setting-specific approaches to violence prevention and intervention (e.g. JVA Iserlohn and Dortmund University).

2.5.2.5 Prospects and Perspectives for Violence-Preventive Action in Juvenile Custodial Practice

The multiple causation of the development and persistence of aggressive behavioural tendencies necessitates a systematic curricular basis for the actively violence-preventive learning content transmitted through juvenile custodial practice. Concentration on academic or vocational qualification alone is relatively ineffective. In view of the known existence of a “hidden curriculum”, of substructures running contrary to the official supportive intentions and the concomitant behavioural norms, and of generally dissocial everyday experience and subcultures, the scope available to such dispositions must be reduced and positive options offered.

Elements of a (pro-)socially oriented curriculum for the target group of young detainees in a direct sense – that is, aiming to reduce dissocial and reinforce (pro-)social, or at least non-aggressive behaviour – are:

- Information on the standards and guiding principles of current law and of its implementation,
- addressee-oriented study of the ethical and normative foundations of human social life and information on the direct and indirect effects, costs and benefits associated with socially appropriate, norm-respecting behaviour in everyday life,
- fully detailed information on the official behavioural norms and expectations applying in the institution, the reasons for them and the modalities of their enforcement,
- provision of opportunities to influence these ordinances,
- information on all factors linked to the development and persistence of aggressive/violent behaviour (including that occurring during detention),
- study of the consequences of aggressive behaviour for victims and in addressee biography,

- confrontation with neutralisation techniques and uncritical downplaying of personal violent behaviour, personal guilt and restitution,
- systematic training to develop behaviour patterns incompatible with aggressive behaviour, delivered in the context of specific training programmes (anti-violence training, social education, also first-aid courses etc.).

Indirectly the concern here is with all content elements relating indirectly to introduction or stabilisation of non-aggressive and/or (pro-)social behaviour, for example:

- Course material leading to academic and vocational qualifications to improve lawful earning prospects following release from custody,
- With a judicious degree of detainee cooperation, active promotion of meaningful ways of occupying unstructured free time (and combating boredom) within the centre's daily routine,
- intensive language tuition, aimed at cognitive differentiation, increased range of perception and interpretation, and a counteractive effect to prison jargon, tuition for German detainees with restricted linguistic code as well as for others who have an immigrant background and poor German,
- Physical and relaxation training for body awareness and sensitisation to the functioning and integrity of the human body,
- ethical sensitisation using everyday content, for familiarisation with alternative value judgments and situation-readings (value-clarification concepts or similar),
- Provision of multiple opportunities for positive self-experience by way of pro-social, norm-compliant, non-aggressive activities and commitment (artistic/creative, sporting, handcraft-related, and through participation in competitions, inside or outside detention),
- Development of perceptions of differentness by opening the detention centre to bring about frequent encounters with "ordinary", well-integrated, non-delinquent young persons from backgrounds similar to those of the detainees, for familiarity with models of socially integrated, non-violent living,
- Arrangement of situations allowing detainee groups to take responsibility, free of direct staff involvement, for structuring their daily activities, and creation of situations of self-proving, such as those currently being trialled in the "Just Community" project at JVA Adelsheim,
- with a view to the post-release period, survival techniques, which must be both lawful and realistic, for coping successfully with everyday life including the contingencies of unemployment and homelessness, and provision of helpful contact details for useful institutions and organisations.

Education (in the broader and narrower senses) and development support in juvenile custody amounts to “making it possible to learn” in the sense of limited corrections (learning how to learn, learning to remedy school weaknesses, read, write, do sums, organise one’s day; learning how to cope with life, modify one’s social behaviour, handle stress and aggressive impulses constructively, break the drug habit; learning to work and keep on working, learning that such learning can be successful, that one has something to show for it, receives recognition, etc.). Creating and continuing to provide such learning opportunities can make sense only if the professionals concerned are themselves convinced that it makes sense. Educational methodology can only be valid when it is underpinned by the educational ethos and by the fundamental positive conviction that young detainees have the capacity to develop and the positive ability to learn.

Pedagogical work with young people in detention centres, like the educational effort in general, is essentially relationship work – with learners whose capacity for relationships has been impaired. Conditions on the ground are if anything inimical to relationship-building, given the pattern of transfers within and between institutions, and the lack of aftercare provision. Pre-release preparation, mentoring / contact support at release, and the crucially important “aftercare” stage need continuity on the personnel level – but this is by no means always assured. The assessment and balancing of the roles of juvenile detention centre, youth services, probation service and educational therapy service urgently needs continuity of balanced supervision and support during and after the period of custody.

For dealing with expressive forms of aggressive behaviour, the following methodological points are recommended:

- use of specific training programmes aimed at control of impulsiveness, rage and irritation, and unwarranted readings of situations, also at the development of self-control and of alternative conflict-coping strategies, relaxation procedures in conjunction with constructive stress management,
- extensive use of sporting, “fair play”-requiring activities aimed to develop rule observance and self-control as well as improving prospects of social integration through introduction to sports clubs after release,
- judiciously balanced use of essentially encouraging educative techniques (praise, encouragement, support, regime relaxations etc.) to reinforce norm-appropriate social behaviour and of limits-defining interventions (reminders, exhortations, criticism, punishment) in response to unacceptable norm breaches,
- grasping of every opportunity given by normal everyday communication for early recognition and prevention of ill-feeling or conflicts in the sections and residential groups, also use of everyday conversational exchanges to provide detainees with feedback on conduct and to influence attitudes,

- appreciation that the everyday social contiguity in the institution offers scope for routine daily training in social behaviour modes with corresponding feedback loops, e.g. through the writing of student reports and the like,
- clear reduction of avoidable frustrations and disappointments in the institution's everyday life (artificial shortages/overpricing of purchasable goods; reduction of boredom and vacant time, particularly over weekends and statutory holidays),
- provision during leisure hours of wide range of animative activities to achieve reduction of violence-conducive, unsupervised, unplanned and unaccompanied media consumption resulting from boredom,
- accommodation in residence-group units to promote sense of responsibility and constructive handling of everyday frustrations and annoyances, but with the staffing ratio kept at a level sufficient to inhibit the development of negative subcultures,
- self-review by all contributing professionals focusing on their own coping behaviour and role-model performance together with the effects of their behaviour on the young detainees,
- involvement of parents, guardians and relatives and partners, if any, in order to sensitise them to progress in detainee conduct, also to activate stabilising networks for the post-release period.

For containment of instrumental forms of aggression the priorities are:

- systematic identification of detainees using such techniques,
- deployment of linguist staff in sections in which languages other than German are being used as an instrument of domination,
- coordinated passing on of information and use of agreed procedures by all professionals concerned, to preclude playing off of any one professional against others,
- duty of openness and provision of clear information to detainees as applicable in the event of their behaviour becoming subject to special surveillance and checks,
- as a matter of course, readiness to use available learning and support programmes in line with conditions imposed by the institution,
- immediate penalising of proven attempts to subjugate or blackmail,
- temporary solitary confinement / segregation of any detainee exceptionally active at subculture level,
- maintenance of relations with the young detainees as far as possible on a level that ensures good mutual understanding – with a view not least to early and accurate assessment and interpretation of developments when they occur.

In the case of all the considerations presented here, the effects that must be reckoned with are effects of social desirability of behaviour displayed in the compulsorily imposed setting of a detention centre, a different matter from a “true” reform of attitude and behaviour. They can probably never be wholly eliminated. Some hope attaches to the fact that custodial practice designed to meet the educational needs of minors and the 18-20 age-group can convey the special value and importance of credibility and the actual persuasiveness of the work carried out daily by the staff members. This means that in violence prevention the target group is not the young detainees alone, but includes the professionals equally, in their efforts to make detention into a supportive environment. Accordingly, these final remarks include a reminder of the essentials of violence-preventive custodial management on the part of centre staff. The key points are as follows: the development of full conviction with regard to the staff member’s personal educational task and its fulfilment to professional standards at the respective workplace; principled aversion to violence, aggression, bullying, lack of respect for other human beings, racism and extremism on the part of the institution’s staff; the staff member’s own behaviour to be unambiguous, to be professed and practised in unity with colleagues, in real-life situations visibly pro-social and respectful of human dignity; systematic inculcation of non-aggressive and non-marginalising use of language; the teaching and practice of techniques of de-escalation and mediation in everyday conflict situations; training in recognition of positive behavioural developments occurring in individual detainees; competence in using the precision instruments of professional feedback communication; specific command of the developmental psychology and developmental education theory relevant to the 16-20 age-groups and of the educational challenges posed by this cohort and of the support strategies appropriate to it; and observance of a humane coherence and consistency in the support component of detention, qualities that constitute his or her individual – and on occasion pro-social – deviation-preventive, creative contribution.

From the long-term perspective, it would be advisable, while maintaining the justified considerations of safety and public order as foundations of a supportive and reintegration-oriented approach to juvenile custodial practice, to align such practice, in its functions of prevention and control of aggression and violence and of promotion of non-aggressive, if possible also actively pro-social forms of behaviour, with a revised self-definition as “good schooling”, in the sense of good preparation for a punishment-free, lawfully conducted life in freedom. With this self-definition, the educational principle – as an incentive to learning, as a provider of (pro-)social learning opportunities – acquires a new interpretation that is both appropriate for our time and appropriate to the basic developmental psychology of the 16-20 age-groups, one that aims above all to encourage appropriate and non-violent behaviour and accords only a secondary emphasis to limits-setting, the prevention of inappropriate behaviour.

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3 Conclusions, Challenges und Suggestions

3.1 The Violence Debate – an Interim Assessment after two Decades

At the beginning of this report, attention was drawn to the four thick red volumes of the so-called “Violence Commission”, published in 1990. This was with good reason. No-one attempting to gain an overview of developments in the area of violence prevention – irrespective in which field – can ignore this report. However, in comparison with the task allocated to the “Violence Commission” at the time, the present report has a narrower scope. As explained in the introductory chapter, the state of violence prevention in child and youth age groups forms the central focus; the complex discussions on the causes of violence behaviour, or the data on its forms and extent, have not been rehearsed here. Violence committed by or between adults is only mentioned in the context of intrafamilial violence. Finally, in contrast to the “Violence Report”, the possibilities and limits of preventing or reducing violence in the youth age group, rather than the state monopoly on violence, form the central focus of this report.

However, in spite of these important differences – here mentioned only in summarised form – it is still worth making a comparison with the “Violence Report”. Today, anyone who reads the relevant chapters of the final survey on violence in the light of the developments in the five fields of action described in the previous chapters, together with the corresponding detailed experts’ reports and analyses, cannot avoid noticing remarkable progress in professional practice. An example of this – to name only one initial indication – can already be seen in the division into categories and the areas of action treated. Child day-care played no role in the surveys of the “Violence Commission”, whereas today it is an important field of practice in violence prevention, and one whose significance is on the increase.

As documented in the present report, these findings can be expanded upon. In the area of violence prevention in child and youth age groups there has been a whole series of noteworthy developments in the past fifteen years, both in relation to understanding the problem and in relation to professional solutions. If one groups these developments together, then from our point of view the following aspects in particular are of especial importance:

In terms of content, one can discern a broadening of outlook in relation to the understanding of violence. While the Violence Commission, in addition to the themes already mentioned, still devoted individual chapters to violence at sports stadia, on the streets, and to what was then defined as political violence in the form of the house-squatters’ scene or the violent riots on the fringes of

anti-nuclear demonstrations, after the reunification of Germany the debate was soon focussed on right-wing youth violence. From the middle of the 1990s onwards the view of the complexities of violence phenomena in child and youth age groups has been enlarged. Since then both non-public (that is, domestic) and psychological forms of violence have also been included. Finally, this expansion of horizons has also directed attention to “new” forms of violence: harassment at work, bullying, and stalking are made topics of public discussion and recognised as challenges for professional education practice, the police, the judiciary, and politicians.

At the same time, however, this is accompanied by the risk of dissolving the boundaries of the concepts of violence and prevention. Often this is associated with a problematic arbitrariness of definition, since projects, measures, and provisions which for the most part pursue other objectives are relabelled and transformed into violence-preventive measures, without making it clear to what extent they provide a comprehensible and goal-oriented contribution to the reduction of violence in child and youth age groups.

Meanwhile, in the area of methodology a broad and differentiated spectrum of concepts, strategies, and practical methods of violence prevention in child and youth age groups has developed, partly spurred on by politics, partly arising out of professional practice and debate. In comparison with the Violence-Reports’ surveys in particular, it is impressive to note the extent to which violence prevention has, in the meantime, become a largely self-evident component of everyday practice. In the process there has emerged an encouraging differentiation of the fields of practice, the strategies, concepts, and procedures implemented within each, the target groups, and the causes and topics.

The conceptual differentiation of strategies includes the idea that the concepts and procedures are drawn up with consideration for age and, in their approach, take account of cultural backgrounds. The importance of the last named aspect in particular for the further development of professional practice can hardly be overestimated, in view of the proportion of children and young people with a migration background which, in Germany, has since become substantial.

A further important distinction, which however is still given appropriate consideration in too few projects, is gender.

The vast majority of strategies developed in recent years can be described as educational strategies. Such an orientation does full justice to the fact that violence prevention in child and youth age groups is concerned with people growing up. Children, like young people, must first develop their identity and moral awareness, find their place in the community, and become acquainted with their limits. And in this process they need various forms of help and support. It is a question of assisting them and making demands of them, but also of protecting them from excessive demands.

This is bound up above all with the widely shared conviction that violence in child and youth age groups can be managed primarily by education, learning, and skills acquisition. It is true that, at the same time, in recent years repressive, supervisory, and defensive measures have been maintained, in part further developed and adapted, and in necessary instances also implemented. Generally, however, confidence in the ability to curb violence in these age groups on a sustainable basis mainly with the help of punitive measures has disappeared – especially as in some cases the unintended and problematic side effects which, for example, frequently accompany youth punishment,²⁹⁵ cannot be overlooked.

Closely linked with this educational perspective, a position has meanwhile developed in professional debate on the prevention of violence which views violent behaviour of children and young people as only one, and not the most important, aspect of their behaviour. Instead, the focus is placed more intensely on their skills and resources, and the development of protective factors. To reduce it to a simple formula: most of these strategies are applied to the problems that young people have, and not predominantly on those that they make.

A further important trend in professional development is the more intensive involvement of the relevant social and cultural environments, of youth “scenes” and social spaces. On the one hand spurred on by the debates on orientation towards the social space, the school climate, or – somewhat more generally expressed – towards the quality of institutional contexts, and on the other by the significance of more or less public youth “scenes”, degrees of danger determined by social space, environment, or the “scene” – in addition to useful preventive resources – have increasingly been taken into consideration in violence prevention. The consideration behind this is not simply to change people’s behaviour, but to exert influence on the environments which favour or reduce such behaviour. To such approaches belong also, in a wider sense, those methods – to date underdeveloped – which aim at supporting precisely those peer groups which are not conspicuous for their violent behaviour.

This tendency has been reinforced by the experiences of a whole series of projects, which prove that isolated approaches to violence prevention, divorced from their social or institutional environment, while certainly making some sense under specific conditions,²⁹⁶ in many cases can only display very limited effects. The best known and best documented example here is that of

295 Enforced prison sentences always have socially disintegrative effects for the young people affected. The high rates of re-offending after youth sentencing are an indication of the subsequent integrative problems.

296 This is not contradicted by the fact that some concepts of violence prevention, including the better known ones, actually take as their starting point a removal from the environment or equivalent “scene”, in that they are applied mostly in appropriately remote contexts (for example residential care, youth custody centres, or outdoor activity centres) and even prefer to employ settings remote from everyday life (for example in the form of a “hot seat”).

the connection between school climate and the various approaches to conflict resolution. Conflict resolution concepts, mentoring schemes, mediation processes, and so on can only realise their full potential when the climate in the school in question also enables and supports it.

A similar development – here mentioned only in parenthesis – can also be discerned in the programmes and projects against right-wing extremism. Though for a long time repressive strategies for combating right-wing organisations occupied a central position, gradually these have been placed aside in favour of more preventive strategies concerned with young people in danger of developing right-wing tendencies. The programmes recently developed at national regional level (for example “Action Programme for Democracy and Tolerance – against right-wing extremism, xenophobia, and anti-Semitism”, with its sub-programmes “Civitas”, “Entimon”, and “Xenos”) are more strongly linked to the potential of civil society than hitherto and intentionally reinforce the democratic structures in the field. Also, while meaningful “offender-centred” projects are still promoted as before, at the same time dedicated structures for the counselling and support of victims have been established.

The awareness that violence prevention is a responsibility of the whole society, and that therefore cooperation represents a key precondition for successful violence prevention, gained early acceptance in Germany. Over the years entrenched divisions and antipathies between the various organisations or institutions (above all child and youth services, police, and schools) and people have been dismantled. New forms of institutional bodies and collaboration have emerged. Municipal crime prevention boards or round tables are the most widespread examples of these new developments, and an indication of changed attitudes. This collaboration, and the clarification of the relevant individual tasks and responsibilities which it demands, have made a decisive contribution to the improvement of professional practice. “School and youth services cooperation”, “youth services and police cooperation”, “police and school cooperation”, or “judiciary and youth services cooperation” and so on are no longer exotic conference themes, but to a large extent have become self-evident constituents of everyday professional life in the relevant fields of action.

Viewed as a whole, the orientation towards preventive thinking has not only led to displacements between the fields of action, for example from the judiciary to child and youth services. The view that risk factors favouring violence exist even in early childhood has led to demands from politicians and the public for the earliest possible detection and diagnosis of problem configurations in small children or their families. This forward displacement of the scope of attention has meant that today, much more than in the past, education in peaceful resolution of conflicts and acquisition of the corresponding skills are also viewed as a responsibility of the family, the child day-care services and

primary schools, youth social work, family education, and assistance with upbringing.

There have also been important further developments in the area of legislation. As examples, one could point to the Violence Protection Act of 2005 and the legal underpinning of children's right to upbringing without the use of violence (2000), or the reform of the *Jugendschutzgesetz* (Law for the Protection of the Youth) of 2003 and, connected with it, the *Jugendmedienschutz-Staatsvertrag* (State Contract on Media Protection of Young Persons²⁹⁷).

In addition to approaches newly conceived or further developed in Germany, professional practice in the Federal Republic has also been enriched by strategies from other countries. These have either been adapted to local and institutional conditions or, often, imported in accordance with the specifications of those who developed them. A not inconsiderable proportion of this practice is licensed. On the one hand this ensures a widespread maintenance of standards; but on the other hand, it gives rise to a new, albeit still small marketplace, with the result that the best or most suitable programmes cannot be implemented at all times and in all places, for reasons of costs or licensing agreements.

It is certainly also a further effect of this importation that in Germany a very broad spectrum ranging from formalised, to a high degree standardised programmes with precise specifications for professional staff on the one hand, to very open, rather generally held concepts on the other has developed in the meantime. While the standardised programmes offer so-called blueprints, handbooks, or complete packages of methods, before the open programmes can be realised in practice adaptation to local conditions and a concrete materialisation of procedure are necessary.

There exist several hybrid forms between these two poles, and moreover also between concepts. In professional practice, for instance, in one institution a very narrow, concept-oriented implementation of an approach may be observed, while a few streets away in another institution the same approach may be interpreted much more liberally and implemented accordingly.

The situation with regard to professional evaluation of the quality and scope of the programmes also reveals great variations. In spite of the noticeable increase of relevant evaluative efforts and studies over the last few years, now as before the situation, as a glance at the fields of action reveals, appears inadequate. Only a few programmes have been evaluated by means of verifiable criteria; above all, little is known about their success in the longer term.

A tendency imported into this field, which has not yet been observed for very long, is the distinction of individual programmes as “best practice” or “good practice”. In normal cases, not very much more lurks behind this label than the

297 State Contract for the Protection of the Human Dignity and the Protection of Young People in the Radio and Television Media.

experience that in practice the programmes have proven of value from the point of view of the participants. In the overwhelming majority of cases these programmes would not stand up to robust verification criteria from other fields of action – for example successful sustainability over a longer period, the existence of measurable results, innovative character, ability to observe recognised positive effects in the sense of outcomes, repeatability, sufficiently large scope of application, and independence from regional or other conditions²⁹⁸.

Connected with this, however, is the important question of which forms of independent evaluation and quality description actually do justice to violence-preventive programmes and strategies. In the German-speaking world this necessary development is still in its infancy, and so for a long time it has still been above all practical experiences which have given information on the worth of programmes.²⁹⁹

Viewed as a whole, the summarised description of violence-preventive strategies undertaken here presents an encouraging picture. This positive impression of professional practice must however be relativised when, first of all, one observes the dissemination of these strategies in professional practice. It cannot be assumed that, everywhere there is a relevant need for them, the approaches and concepts needed in particular cases are even known about, let alone available or capable of being implemented. Secondly, there has repeatedly been a lack of readiness on the part of politicians, the general public, or professional practice to perceive the relevant problems in an appropriate manner, to take the offensive in tackling them, and to interpret them constructively as imperatives for their own action. For in several cases this would mean acknowledging, at least to oneself and to those directly involved, that violence among children and young people can no longer be overcome with the methods one has tried to date. Thirdly, in many places it can be seen that the institutional conditions and the cooperative structures are only present, developed, or desired to an inadequate degree. Similarly it can be seen that the required professional skills are only available to a limited extent and that the necessary financial and staff resources are not forthcoming, for example because licences must be procured or costly training courses completed, or because insufficient staff are available for additional activities.

To sum up, one can assert that, in view of the overall picture of violence-preventive professional practice presented here, in our view the key challenge lies primarily in safeguarding, consolidating more extensively by means of eva-

298 With regard to these criteria, cf. under the keyword Best-Practice-Kriterien in the online management lexicon olev.de. Accessible at: www.olev.de/b/b-p-kriterien.htm

299 A noticeable feature of violence prevention in child and youth age groups at present is the considerable involvement of private, non-governmental sponsors. Several larger and medium-sized charities have taken the offensive in supporting violence-preventive programmes in recent years. The involvement of the Vodafone Foundation, Germany in the “buddy” project could be cited here, for purposes of example only

uation, disseminating, and further developing those strategies already available, and less in the necessity of developing totally new approaches.

3.2 Violent Behaviour of Children and Young People as a Task for Education and Upbringing

The assessment of the position given earlier inevitably provokes the question of future perspectives. In the following section these will be described from a professional viewpoint, as far as they can at present be foreseen. One of the key intended audiences for this, besides professional practice, is policy, because the necessary framework always needs to be set in motion and supported by policy makers. For this reason some key challenges for policy were summarised in an individual paper for the Conference of the Prime Ministers of the federal states. During the session of the Prime Ministers of the federal states in October 2006 this “briefing paper”, which is reproduced in the appendix to this report, was gratefully acknowledged.

The formulation of perspectives founded on professional practice rests on the assumption of a comprehensible frame of reference. From our point of view, at the root of all the developments in violence prevention described here, despite all their differences in strategy, lies a more general and widely shared opinion: that violence in child and youth age groups can only be lastingly counteracted if one confronts it pro-actively in ways that are suitable for the age group and situation. Nowadays as always, freedom from violence, and the outlawing of violence, represent universally valid goals of human coexistence which are worth striving for. At the same time, however, violence in child and youth age groups in particular, in its various forms, turns out to be a phenomenon of all known societies as well. What is up for debate, therefore, is not the question of whether there is, or should be, violence in child and youth age groups at all, but of how we are to deal with it.

In the light of this, in our view it is a matter of facing violent behaviour in child and youth age groups appropriately, that is, taking into account the developmental tasks which children and young people are typically required to perform. These include in our society, for example: learning how to “live in” one’s own body or deal with sexuality; negotiating the reconstruction of social relationships (gradual assertion of independence, separation from the parental home, construction of circles of friends); dealing with altered achievement challenges and the development of an individual identity, as well as a moral and political consciousness; in short, successfully coping with adolescence, the assimilation of the world (education), and the choice of a career. Of especial importance, finally, is education in the capacity not to become violent oneself despite the omnipresence of violence – communicated above all by the media,

but also experienced at first hand – in child and youth age groups, and of a propensity for violence frequently portrayed as strength, coolness, and success. Several of these processes proceed inconspicuously, that is to say beneath the threshold at which they excite public attention. But at the same time the accomplishment of these kinds of developmental tasks in child and youth age groups can also be accompanied by crises and deviant behaviour of various kinds. In these cases violent behaviour by children and young people reveals itself as a form of behaviour by means of which they not only save their own skin, but also test boundaries, demonstrate to themselves and each other strength, influence, fighting spirit, and power, and seek recognition, palpable physical experience, a special “kick”, and fun. Violent behaviour – as long as it has not, so to speak, become ritually institutionalised – is also an inept and, finally, personally unsatisfying method of resolution, and almost all children and young people know that it is not actually acceptable. Understood in this way, the violent behaviour of children and young people is therefore always an occasion for engaging with the theme of the adequacy or inadequacy of one’s own behaviour or that of others on an abstract, general ethical level and – more importantly – in relation to the particular situation in question, as well as for reflecting on it and developing ways of dealing with it. It is, in other words, an opportunity for learning – even if now and then an unsuccessful one – and in this way, under favourable conditions, an opportunity for educational support.

Empirical analyses of the violence histories of young people and violent groups confirm that, in the case of each young person, even if in part still only in rudimentary form, one encounters these kinds of moral misgivings and self-doubts. The educational possibilities which arise from this can be described as the educational view of violence.

The educational view of violent behaviour cannot substitute for reactions to severe violence or criminal offences by the police and justice systems. Quite the contrary: it is these which first create the legal certainty and institutional freedom within which educational strategies can gain a chance of making changes.

At the same time, even a cursory glance at the various fields of action indicates to what a pronounced degree violence-preventive approaches in child and youth age groups have in the meantime finally settled on the social learning of children and young people and the corresponding skills acquisition as the essential mode of management and early avoidance of violence in the areas of family upbringing, child day-care centres, schools, the various fields of child and youth services, the judiciary, and the police. For example, not only the Juvenile Court Act, and the more recent debates on the draft version of the Juvenile Penal Act and all sentences related to it, bear the stamp of the educational idea. It also informs – even if frequently only implicitly – numerous ef-

forts by the police (for example talking to young people at risk or educational consultations with police officials, awareness-raising campaigns by the police crime prevention programme, or cooperative strategies with the child and youth services or schools.).

In the other public fields of action under discussion here the educational idea occupies a position alongside other responsibilities such as, in schools, the transfer of knowledge or, in the child and youth services, the securing of child welfare. For families and parents the right and, first and foremost, the obligatory duty to bring up their children is laid down in the constitution.

Emphasis on the educational idea means above all conceiving the occurrence or threat of violence in child and youth age groups as a learning opportunity. In this way compulsory educational confrontation with, and educational handling of, violent behaviour has become a part of everyday social education in families, child day-care centres, schools, youth social work, and communities. At the same time, in the very strategies of goal-directed violence prevention themselves the experiences and contact with violence of children and youths is used for educational purposes, for example to develop conflict resolution skills or to train groups of young people in binding rules for the arbitration of conflicting interests without the use of violence.

To construe violent behaviour in preventive work with children and young people as a learning opportunity does not imply, as is often alleged, accepting or downplaying violence and having understanding for everything, as though – as the cliché puts it – making it appear harmless after the fashion of “namby-pamby” educationalists. It is much more a question of doing justice to the circumstances and opportunities of the child and youth age groups as phases of development.

In this matter the institutions involved have made constructive use of their authority and productively combined many activities together, both within their fields of action and, increasingly, also between them.

The educational attitude and the many different forms of cooperation have contributed to a situation in Germany in which, in contrast to other countries in international comparisons, violence by children and young people has for a long time demonstrated no dramatic increase. Unlike Germany for example, the New Labour government under Tony Blair above all has pursued a much more rigid course against “youth crime” in England and Wales. The reactions, with their strong emphasis on criminalisation and their extension of punishable “offences” to include anti-social behaviour, have led to a loss in significance of educational reactions. In the meantime even age-related “messing about” has been prosecuted under civil law, and a rather harmless offence then leads, as a next step, to consequences under criminal law. The results of such a policy are to be observed rather in the image of “being tough on crime” directed at the

public than in a fall in youth crime and violence – and moreover with dubious consequences.

Against this background, the reinforcement of approaches to violence prevention in the child and youth age groups based on education and upbringing gives occasion for a positive interim assessment. There is a need for development in details, and improvements are still possible and necessary.

3.3 Challenges and proposed ways forward for professional practice in violence prevention

The positive developments, described above, in the ongoing confrontation with the problem of violence among children and young people lead directly to a number of challenges, to be outlined here. Next, picking up the challenges, some proposed ways forward for professional practice in violence prevention are introduced. These proposals are very largely based on conclusions and recommendations from the chapters dealing with individual fields of activity (► Ch. 2, “Violence Prevention in five Fields of Action”), on evidence from expert reviews, and on the continuing broader debate at professional level. The presentation here is cross-disciplinary in terms of individual fields of activity, with occasional reference to one or other particular field for illustrative purposes. The proposals aim to show the way to future practice in violence prevention in which due account will be taken both of the potential achievable by children and young people and of the limits to such potential.

A key premiss in this undertaking is the focused understanding of violence prevention already presented and reiterated above (► Ch. 1.2.1 “Concept of Prevention”). If violence prevention is not to be allowed to degenerate sooner or later into just one more routine professional concern among others, it is vital that the term “violence prevention” should be used only of activities that have as their central aim the prevention or reduction of violence in childhood and youth. A review of the professional practice of the last fifteen years reveals that policy-makers and practitioners have not always avoided this danger of routinisation through loss of focus. A number of programmes and projects with at best some elements of violence prevention, at worst no such element in recognisable form, have been funded and implemented under the label of “violence prevention”. Should this trend continue, there will soon be no social policy measure, no social education practice and no programme related to the welfare of children and young people that does not purport to be serving violence-prevention purposes. Apart from such a contention being obviously nonsensical, this looseness of definition is bound to lead to unrealisable requirements for proof of performance: to a situation that could provoke perfectly reasonable demands for proof that the upgrading of a suburban play-park, the holiday provision or the theatre production at the holiday hostel accommodation actually deliver the alleged violence-reductive effect.

3.3.1 Violence prevention as an integral element of organisational development in institutions

The broad organisational arrangements in residential and other centres exert a key influence on whether violence on the part of children and young people is

not merely rejected and marginalised, but instrumentalised to exploit the potential it offers for them to understand and practise socially appropriate patterns of growing up and learning. These administrative and practical structures actually create scope for professional staff to work, or are restrictive; they facilitate learning, against a background of “experienced violence”, or fail to do so. The structures and the underlying assumptions prevailing in institutions exert far greater influence on professionals’ work with children and young people than a first casual glance might suggest. Only after violence prevention has become integral to the development of a given organisation will staff have the chance to adopt and maintain a sustained educationally positive basic stance in their work with violence-inclined and violent children and young people, and to make this stance productive. Violence being an everyday experience during the years in which children and young people are growing up, it follows that coping with violence will also have to be an everyday matter in the centres. Violence prevention thus has to become a routine task. Purpose-designed violence-prevention programmes and single measures – whether they take the form of mediation within schools, curricula in child day-care centres, or anti-aggression training courses in young offender detention centres – cannot fulfil their potential if they are allowed to remain no more than individual measures, isolated or forming a merely cumulative sequence. Conflict resolution in schools, for example, tends to fade out rapidly if it relies solely on the commitment of individual teachers, but not if it has a secure place in the school’s organisational structure.

In practice this means fulfilling a number of requirements. In the first place there is a need for critical review of the principle observed hitherto in many institutions that “violence means exclusion”. Rather than exclude children and young people – from a leisure centre, for example – following acts of violence, it is essential to make use of “violence as learning opportunity”. It does not suffice to implement individual measures and separate programmes; rather, it is important for the institution, supported in this by its senior management, to make possible and then actively support a culture of non-violence and of respect for children and young people, and where violence does occur to treat it as a “normal” (because relatively frequent) type of juvenile behaviour and, in the first place, as a point of approach for the educational work. Only on the basis of an open discussion – as opposed to one that deals exclusively in rejection and taboos – can violence engaged in by children and young people become a learning opportunity.

This enables the centres and their professional staff to adopt a different position vis-à-vis the public and gives protection against over-dramatised portrayal. It would damp down the predictable and recurrent surges of pressure for virtually knee-jerk reaction brought to bear by public figures, media and the public every time some spectacular or otherwise newsworthy event takes place. If the institution is run in this way, symbolic gestures and obedient compliance

with publicly aired ad hoc demands can be delayed pending an analytical review of the local situation, and study of the individual life backgrounds of those concerned. For staff to be able to act in this way it is essential that they have their back covered by institutions with appropriate programmes and the requisite resources in time and staffing. The institutional position is that violent acts are not approved, but have to be accepted as reality. This entails the staff concerned taking sufficient time with those children and young people who react violently in a concrete situation to link on to this behaviour constructively and treat it as an occasion for educative private reflection or for confrontation, rather than merely seeing it as a distraction.

Against this background, youth education professionals are becoming more heavily involved in duties of learning counselling, conflict mediation and development mentoring. But this also means that they must already have acquired key skills such as conflict resolution in routine everyday situations with children and young people and have engaged in intensive study of and reflection on their own life experience of violence both in their personal past and in the context of their professional career. Over and above the standard professional tools such as teaching competence or specialist subject knowledge, they have to be able and willing to confront their own personal share in violence experienced and perceived, and their own experiences of power and of helplessness. Social and cultural differences among the children and young people – along with the effects they exert on attitudes and actions – must not be disparaged, but turned to good use by way of esteem and regard for individuals leading to enhancement of self-esteem. For personnel working with them, this entails also that over and above their professional status they should also be accessible to being perceived and consulted in their individual identities – with all the ambivalences that that involves – with specific reference to the experience of violence. In this way, and only in this way, violence-prevention work can achieve an enduring effect; otherwise it remains a matter of “fire-fighting”, that is to say treatment of symptoms rather than causes, and in the long run a lost cause.

Learning opportunities in this context always mean that everyone involved has a chance to learn. Accordingly, strategies that have been developed jointly with all relevant participants will furnish staff workers with back-up and with additional guidance in dealing with child and youth violence. Desiderata for the centres thus would be facilities for co-productive prevention work, time for self-assessment and colleague-to-colleague counselling, while it should be a matter of course for continuing professional development on violence-prevention topics to be provided – on a team basis where possible (► 4.3.6 “Staff Training”).

3.3.2 Ways forward for cooperative structures in violence prevention

In the prevention of criminality, cooperation is regarded as an indispensable principle. Evidence of this can be seen in the host of crime-prevention councils and panels, but it also includes cooperation between organisations and institutions, which has latterly become increasingly general practice. Joint projects shared by police and schools, agreements unthinkable a few years ago now linking the child and youth services and the police, and innovations such as the Stuttgart *Haus des Jugendrechts* (Juvenile Law Centre) are only a few examples. It is broadly the case now that the old compartmentalised approach and the barriers have broken down, if not exactly fallen down. Information exchange is now possible, as is the development of common strategies for different action fields. Long-standing structural demarcations impeding communication within and between individual action fields have increasingly been dismantled in the interests of better internal and inter-field cooperation, but in this area many challenges still remain.

Not all action fields have a statutory obligation to cooperate. Apart from the police and the judiciary, for whom cooperation with other instances is a listed requirement, the Social Code Book VIII imposes mandatory cooperation in §§4, 8a and 81 in particular. These provisions specify as cooperation partners such instances and institutions as exert influence on the life situations of young persons and their families. They apply first and foremost to education and training, health services, the police service and the administration of justice. Other areas are gradually being added. However, binding requirements like the above do not apply everywhere. For schools, to take one example, the corresponding directives are recommendations, thus carrying a distinctly lower level of obligation. Legislation making cooperation statutory neither solves the problems nor ensures quality in cooperations; but it would deliver a major contribution on both fronts. It also seems, finally, that the possibility of directing progress by means of support guidelines has not yet been exhaustively explored.

Formal requirements are only one side of the coin. Two further improvements are waiting to be addressed: For a start, training and continuing professional development need to address the cooperation issue more pragmatically, focusing on real situations. This means imparting knowledge about the other action fields and the potential partners, but also exploring the potential and the limitations of one's own profession. The second point is that it would be sensible and helpful to formally recognise instances of cooperation – for instance in performance assessments. In that way, organisations would show how much this criterion is valued. There would also need to be systematic allocation of extra time for assignments involving cooperation (e.g. workplace descriptions).

Hitherto, cooperations have based their priorities primarily on “usefulness to participants”, have addressed participants' goals, interests and motivation, and

make negotiated compromises possible. New challenges arise when the emphasis switches to the quite different perspective represented by “violence experiences as learning opportunities”. Attention now focuses on the multifarious encounters that the children and young people have experienced, both as offenders and as victims, as well as the multi-layering and the contradictions involved in the experience of violence and in everyday coping with violence. These experiences now become the starting-point for the efforts of all institutions and individuals involved, because all must face up to the question of who now has to learn what.

The focus on experiences of violence, and the readiness to associate them not with ostracism or exclusion, but with learning, together represent a serious challenge for many of the existing regimes of centre governance, because the thinking of institutions and organisations, given this new perspective, will now have to be more closely geared to the actual living circumstances of children and young people, and take account of developmental processes. Then the compartmentalisation that has systems ignoring each other’s existence – juvenile courts and family courts, for example – can no longer claim any justification.³⁰⁰ Confronted as they are with violent parents and violent youngsters, the two systems have an obligation to overcome the damaging barrier that separates them.

Attention is also focusing on transitions, e.g. between child day-care centres, between there and primary schools, and between primary and secondary schools – but also between different centres run by the child and youth services, and finally, in the most difficult cases, into the juvenile detention centre and subsequently out of it again. For many of the children, young people and parents, these are not easy transitions; and from the point of view of violence prevention they are also important. Successfully completed, they not infrequently mark the disappearance of the causes of conflict, problem escalation, and misunderstandings between the persons concerned.

An ongoing problem with a significant impact on cooperation is the growing competition for scarce public funding. This leads to exclusivist strategies and the hoarding of information and knowledge, with the object of gaining or preserving advantages. Cooperation should therefore be written into invitations to tender and programme proposals, from the start, either as an actual expectation or as an available option: in other words, applicants for grants would be forced to step outside their normal area of competence and to put thought and practical work into setting up the necessary cooperations. This could contri-

300 Although often housed in the same county court premises, family courts and juvenile courts are separate and distinct institutions. While juvenile courts deal exclusively with offenders aged 14 and over, the remit of family courts includes cases where a child’s welfare is at risk. In spite of the fact that the two systems sometimes concern themselves with the very same families and juveniles, exchanges between the courts are very rare.

bute to reducing the tendency still observable in an appreciable number of professions to close ranks against influences from outside.

3.3.3 Stronger target-group focus in violence prevention

To date, violence prevention has been addressed much too indiscriminately to the child and youth generation as a whole. Distinction on the basis of such criteria as social class, gender, or ethnic affiliation is only rarely a major feature of programme design. Although it is first and foremost *young males* that attract attention by violent behaviour, and although available programmes target them far more than females, and indeed sometimes exclusively, the fact remains that in the majority of programmes the male gender role is not examined. Even granting that young females commit violent acts much less frequently, there is a dearth here too of gender-specific approaches – one of the few exceptions being the anti-aggression training course for girls at the service centre, run by an independent provider, in Cologne. When gender-specific elements are found in available programmes, the providers generally turn out to be external, specialised centres and individual professionals, not infrequently a provider whose entire repertoire consists of this one product. Male-specific measures are of very limited duration, are not integrated into daily work, and can only be fulfilled if the time is not needed for other things. In nursery education, primary and secondary schools, police, the judiciary and the child and youth services, gender-specific components in violence prevention are not part of the regular programmes, having failed to establish themselves sufficiently securely. If viable ways are to be found of addressing violence-inclined or actually violent young males, ways to avoid merely punishing their violent behaviour, ways to turn it instead into an opportunity for personal development towards the ideal of a pro-social personality, there needs to be integration of gender-sensitive strategies used in routine practice, and at the same time systematic further development of the existing approaches, as well as a more differentiated approach in the first place to the various target groups (► Ch. 4.2 “Young-Male-Specific Approaches”).

A further very important factor in violence-prevention strategies is that an increasing number of children and young people have a minority ethnic background. Of these, some were born and have lived part of their lives outside Germany; in other cases it was the parents or grandparents who immigrated to Germany. The contacts to the countries and cultures of origin were and are important and formative. The significance of violence and of physical strength differs in different *cultural* contexts. In some cases it is primarily a matter of the particular “kick“ to be derived, and of testing out one’s physical limits; but for others the real concern is restoration of personal or family honour. Failure to take proper account of these differing significances and value systems – “taking account” not implying acceptance, incidentally – will in some cases

mean systematically excluding particular children and young people from learning, and denying them opportunities for development, because they feel they are not understood. This point needs to be given greater weight in violence-prevention programmes.

Then again, most such programmes use a cognitive, language-based approach, and in the case of young people who for whatever reason are less able than others to express themselves verbally such an approach leads to exclusion or withdrawal. Certain special programmes using new methods have indeed been devised recently – some of them emphasising physical input and movement, others using music as the communication medium. But these are in the main single programmes and are not being systematically further developed; the real need is for the mainstream non-specialised services offered to all children and young people to be cross-culturally effective, but so far there has not been nearly enough progress on this front. Neither in schools nor in the child and youth services does the ethnic background aspect of violence prevention have a securely established place: its inclusion tends to be a rather arbitrary and random matter, even though the young people in question have an incident rate appreciably higher than the average.

Nor is there as yet any significant involvement of the many and various organisations representing ethnic minority affairs (e.g. in association with the *Ausländerbeiräte* [ethnic advisory panels], the liberal mosques, or the parent associations). The question of what effects these “new” target groups will have on strategies of violence prevention can be expected to become more important in the medium term.

Many violence-prevention programmes are still relying too heavily on language. There is a constituency of young people with limited verbal skills who are more easily reached by way of their own cultural styles. *Approaches based on physical activity* offer distinct promise; however, while already developed and tested, they are not yet as widely used as they should be. The need is thus for wider and easier access to sport, which offers young people attractive forms of self-expression and movement that also encourage progress towards violence-prevention objectives.

Work hitherto on violence prevention has consistently neglected distinctions between urban and rural areas. While this broad disparity has been recognised as relevant in general youth work, and special programmes devised, there has as yet been no follow-up in violence prevention.

The significance of the peer group has been underrated similarly. Its members are capable of playing an important part in the learning processes. The de-escalating and violence-preventive potential present in same-age peer groups has hitherto been neglected in the German-speaking countries. This potential needs to be effectively tapped in future, by means of individually targeted initiatives.

A widely acknowledged pedagogical principle has it that learning opportunities must start out from the actual learning potential of children and young people. To that end the active personnel obviously must be aware of the specific foundations on which that learning potential rests. Children and young people, girls and boys – not to speak of differences in cultural background – have had widely differing experience of the methods and techniques of learning. Thus, for example, boys develop a specific attitude to physical strength and to violence as means of conflict resolution, though it will take different forms according to social environment and culture.

Possession of such knowledge, coupled with the ability to apply it, is an essential prerequisite for successful use of the maximum possible number of learning opportunities. Learning should be made possible step by step and this process shared with the young people. For the development of successful programmes, knowledge of the young people's experiences and imprinted attitudes, of their expectations and personal resources, is thus essential.

In provision for boys in particular, an important feature is the regrettable lack of male educators. In nursery education and schools, where this lack cannot be remedied in the short or medium term, institutions are trying to become more open to the community and promoting the involvement of male volunteers, including such people as fathers and older youths (e.g. former pupils). Leaving aside the still distant prospect of a larger cohort of male professionals, it seems to be of immediate importance that both male and female professionals should be given opportunities to review and assess their own personal past experience of gender socialisation. Remembered personal experience of power and of helplessness, of an idealistic or a norm-dictated image of family and childhood and of "typical" boys and girls, will contribute to improving the pedagogical dimension of professional input (► Ch. 4.2, "Young-Male-Specific Approaches").

Under the rubric of "early prevention", a number of measures have now been developed, in nursery schools more than elsewhere, and taking diverse forms, to combat assumptions of inferiority on grounds of cultural and social differences. We regard this as an important contribution towards overcoming the causes of discrimination and the building of a culture of acceptance of difference. It also means that styles of conflict resolution – with violence out of the picture – can themselves be diverse.

These approaches are intended to enable children to identify positively with their group of origin, their family, their ethnic group, their urban neighbourhood, etc. Our observations suggest that in this context it is important not to advocate or implement any new uniformity or conformity, but rather to aim at defined specifics. It is not just a matter of questioning the ideal stereotypes of the "normally developed child", the "normal family" and "normal living circumstances"; there must at the same time be emphasis on the need for hetero-

generality of strategic approach. Differences in the background circumstances and the current living circumstances of children and young people and their families should not be glossed over. Departures from the norm – we regard this as a fundamental principle – cannot be seen simply as deficiencies: they are in fact a potential, a starting point from which new developments can take off. Recognition of such differing group identities and honest confrontation with them – rather than the practice of ignoring them out of existence – contributes to building an institutional culture in which differentness is perceived as representing potential rather than deficiency.

3.3.4 **Violence prevention as extended co-production – working together with children, young people, peer groups and their parents**

To refuse to condemn violence out of hand and absolutely, because one sees it as a learning opportunity, implies seeing violence prevention as a co-productive process. In the sense accepted hitherto, which has general currency in the field of child and youth services in particular (► Ch. 2.3, “Youth Services”), the term “co-production” has emphasised productive co-operation between *professional youth workers* on the one hand and *children and/or older minors* on the other, a cooperation devoted to jointly evolving situation-specific educational interventions appropriate to given target groups. As yet this interactive concept of violence prevention is firmly established in the traditions and activities of no more than a few institutions and organisations. Even today, the prevalent view within violence prevention generally is that the trained educator is to be seen as the originator of and the expert in the measures applicable in any given case. There has been only gradual acceptance of the need to involve children and young people as active co-producers alongside the professionals in the interests of enhancing the quality of preventive measures.

A change of perspective has therefore become necessary. The young person is no longer a “case” in connection with which measures are undertaken; he or she has become an “actor”, with whom the appropriate programme is jointly worked out by negotiation and on a basis of partnership. Obviously, this radical change of perspective will not be easily or smoothly implemented in the context of violence prevention in particular, given that the young partners in the process include – putatively at least – the perpetrators and victims of violence.

In our opinion, a review of currently practised strategies of violence prevention in the various fields of action shows that the basic concept of co-production outlined above needs to be developed in future in two ways.

- First: others besides children and young people should be included in the group primarily targeted by violence-prevention measures. Professional social workers must in future do more to ensure that practicable participatory and co-productive opportunities are also available to the most important of

the individuals and groups with whom the children and young people are closely involved in their normal social environment. This includes first and foremost *parents and guardians*. In violence prevention among children and young people, parents are important actors, for all the progressive diminution of their role in the everyday routine of children and young people as their children grow older. Development of new forms of working with parents will be a major challenge in all fields of action, and is going to create an urgent need for new concepts, particularly informal and proactive parent work; also for enhancement of the communicative and professional skills of the personnel who will be deployed (► 4.3.6 “Staff Training”). Nor is it only professional staff that will need support: organisations and institutions must see to creating an environment conducive to the practical implementation of *co-productions as everyday routine*. The discussions on improving parenting skills and on the educational partnership of educational institutions and parents represent important starting-points. With a view to violence prevention in the immediate sense, however, they need to be taken further. Other issues of great importance in connection with violence prevention are the support parents can give over their children’s use of media, and the contactability of those parents in particular who are unable to cope adequately with the upbringing of their children. Besides parents, it may be useful to involve the relevant social environment of the children and young people more heavily in prevention strategies. *Peer group* members and other groupings and individuals living in the immediate vicinity (neighbours, street residents etc.) can contribute positively to violence-prevention work.

- Second: the principle of co-production, in its extended interpretation, should also become an appropriately integrated, permanent feature of violence-prevention work in other action fields besides child and youth services. Experience hitherto in different action fields has been various, and is likely to remain so during the foreseeable future. Child and youth services rely on the voluntary participation of children and young people, and generally cannot operate if constraint has to be used. It is indisputable, of course, that voluntary participation cannot always be comprehensively guaranteed. In an appreciable number of projects, those responsible for the development and implementation of strategies and activities aimed at violence prevention have opted at an early stage to attempt co-production with the target groups. Concepts for coping with violence were evolved jointly. The requisite knowledge and interpretations of child and youth behaviour were researched, gender-specific and culture-specific variations noted, and applied in the designing of measures to be implemented. For instance, young male ethnic German immigrants in one local council area were allowed to use available accommodation, while another local authority provided Turkish youths with builders’ huts in which they could meet un-

supervised, though ultimately on the responsibility of the social education team concerned. Children and young people are readier to accept strategies developed with their active participation than those dictated to them “from above”. It must be acknowledged, however, that the more difficult and violent the behaviour of the children and young people, the less willingness is shown by institutions and individual professionals to participate in co-production. Other institutions, such as schools or the justice system, have pursued their own institutional policies, as a result of their understanding of their own function, or in compliance with legal requirements. The challenge in due course here will be to make co-production possible in the prevailing general conditions and constraints and in the context of the respective institution’s mission, and to make use of whatever scope this situation allows. Conditions in the schools are largely determined by the respective mission and by teaching and learning responsibilities, while in the judicial area (youth detention) some initial experiments are under way, though encountering difficulties in implementation. In the school context, for example, co-production can mean that in prevention programmes running in scheduled school periods, specific issues and problems put forward can be made the starting-point for class discussion, which in turn allows some appreciation of the realities of the lives of these children and young people. Or to take another example: the great importance of physique and physical strength in the eyes of violence-inclined young people should continue to be constructively exploited in preventive approaches, but more often and more intensively. This is the aspect frequently ignored by strategies that rely on communicative competence and German language skills in particular.

It is important, we feel, that thinking about the needs and abilities of children and young people should be kept open-ended and should actively involve their broader social environment, and that prevention strategies should be developed locally and in partnership, or at least tailored to the specific local conditions. It is important not to impose preconceived notions, not even to select from a repertory of ready-made methodologies, but to start by addressing the actual needs and resources of the children and young people, peer groups by age, and parents. To adopt the perspective that sees “violent behaviour as a learning opportunity” is to stress the value of co-production in violence-prevention work where the object is to make a lasting difference. Effective prevention of violence is the result of productive cooperation between trained professionals and the various individuals addressed.

There is an overall need for children and young people to be considerably more closely involved and co-active. Only the mandatory and serious participation of violently-inclined and actually violent young people on the one hand and professionals on the other can deliver learning processes conducive to non-violent and pro-social behaviour. This implies also that children and

young people must be given the opportunity – in appropriate ways and to a degree commensurate with their age – to co-determine the rules framing their everyday life.

3.3.5 **Emphasising the victim perspective; offender-victim status exchange**

Violence-prevention strategies at child and youth level are predominantly offender-centred. Approaches that place their central focus on children and young people as victims of violence, by contrast, except in the action field of the family and to some extent the police, are almost non-existent. And yet violence among children and young people has more victims than offenders. In relation to young victims in particular, this perspective is often overlooked. The strategies of victim protection and of work and other contact with victims of violence need to be developed further and extended. Substantial legal underpinning for these changes has been put in place in recent years with the *Opferrechtsreformgesetz* (Victim Rights Reform Act), the *Gewaltschutzgesetz* (Protection from Violence Act) and the right to violence-free upbringing; what is needed is still further improved implementation. There should be guaranteed provision for psychosocial counselling for victims of violence, where needed, to help them cope with the consequences of the offence.

The existing programmes centred on victims of violence tend to focus either on children, especially in contexts of intrafamilial violence, or – wearing the mantle of “traditional” victim aid, with its come-structure and consequent individual focus – on adults. However, for young people of the age group 14-17 who become victims of violence (often at the hands of same-age peers and in their immediate social context), there is a dearth of programmes from which they can seek help informally. No male of this age wants to be designated a victim and so become stereotyped into this role, very negatively viewed as it is by the male same-age peers. Here the onus falls largely on the child and youth services to develop approaches capable of reaching and supporting these youngsters, with group-centred programmes playing a part. One important starting-point would be to address the concepts of “victim” and “loser”: in the language of young people those terms are used and understood as seriously derogatory and humiliating verbal abuse.

There should also be attractive programmes designed to support those youth groups and youth “scenes” that do nothing at all to attract attention to themselves in public places but feel potentially threatened by violence initiated by other young people, so that there is an alternative to scenarios in which violence is likely.

In schools too it is important to emphasise the victim perspective more and to find sensitive ways of approaching withdrawn victims. Addressing such topics

by way of class discussion brings new learning opportunities – and also dangers. Specific settings and skills are required.

Within the justice system, victim-offender mediation continues to be the most visible strategy in which serious account is taken of the victim perspective. The need here is for victim-offender mediation to be further developed, and to be implemented wherever possible and appropriate. Discussion is also going on at present about how it might be possible, in the offender-oriented context of juvenile criminal proceedings, to strengthen the victim perspective without thereby detracting from the (offender-centred) educative principle informing the Juvenile Courts Act. It is accepted on all sides that the proceedings must on no account be allowed to subject the victim to a secondary victimisation; and likewise that efforts must be made to improve the situation of injured parties during the proceedings, perhaps through extension of their rights to participation and information.³⁰¹ However, there is opposition to demands by victim groups that the availability of *Nebenklage* (parallel civil claim) and *Adhäsionsverfahren* (additional proceedings)³⁰² should be extended to juvenile criminal proceedings. The view of the 2nd Commission on Penal Law of the *Deutsche Vereinigung für Jugendgerichte und Jugendgerichtshilfen* (German Union for Juvenile Courts and Juvenile Court Help inc.) is that this would not be advisable.³⁰³ Implementation of these demands would on the one hand extend injured parties' active rights in the context of juvenile criminal cases, but on the other hand it is feared that introduction of the satisfaction motive would threaten the primacy of the educative principle as the guiding philosophy of juvenile court proceedings. Even so, under the *Zweites Justizmodernisierungsgesetz* (Second Modernisation of Administration of Justice Act), the law as enshrined in the *Jugendgerichtsgesetz* (Juvenile Courts Act) is to be changed: a parallel civil claim will now, in the most serious cases, be admissible in criminal proceedings against those aged 14 to 17; and additional proceedings will now be admissible at ages 18 to 20.

Along with this increased emphasis on the victim perspective, we wish at the present point – and we recognise here a still greater challenge and greater learning opportunity, presenting itself equally across different fields of action – we wish to advocate a substantial widening of focus. Violence-prevention strategies have hitherto had a notably partisan character: here the (reprehensible, wicked) offenders, there the (innocent, poor) victims. This constellation does of course exist; but another constellation often occurring at age 14 to 17 in particular is that of a single individual who has both offender experience and victim experience. The purely antithetical way of thinking is thus seriously in-

301 This is also called for in the European Council's framework decision of 15 March 2001 relating to the situation of victims in criminal proceedings (2001/220/JI).

302 Additional proceedings give victims the opportunity to pursue their civil claims concurrently with the criminal proceedings, thus saving themselves a second hearing and any further ordeal in court.

303 cf. DVJJ: 2. *Jugendstrafrechtsreform-Kommission* (Commission on Reform of Juvenile Penal Law). Final Report dated 15 August 2002, p. 36 et seq.

adequate and cannot encompass the complex underlying patterns. Empirical research has shown: first, that young people who commit acts of violence have often previously been victims of violence; second, that it is often only during the course of violent interaction between young people that events decide who will subsequently be seen as offender(s) and who as victim(s); and third, that there is likewise a notably high incidence of violent young offenders becoming victims themselves.

These are the considerations that collectively underlie the term “victim-offender status exchange”. The implication for violence-prevention strategies is that the roles are not infrequently interchangeable, so that work with offenders is at the same time work with victims, or in working with victims one may well find one is dealing with offenders. A further way of looking at the issue is that victim protection in the sense described can simultaneously be prevention applied to offenders. Accordingly, if these insights are to bear fruit in the form of a learning opportunity, there will often be no alternative to forsaking the black-and-white role casting of “offender” and “victim”. The observing eye must register constellations that are less simple than that.

For violence-prevention strategies, adoption of this wider perspective will mean many new challenges. For instance, it highlights the importance of early prevention of intrafamilial violence; but then at a much later stage there will be the task of, for example, researching the “victim aspect”, the victim-experience history of offenders, extending to the new traumatherapeutic approaches advocated in Hossler/Raddatz (2005: 21) for young multiple offenders.

From this perspective, prevention strategies must steer as clear as possible of any attribution of rigid victim and offender roles, beginning instead from children’s and young people’s experiences of violence. The learning opportunity for them, but also for the professionals, is that of coming to understand the complexity of these experiences and the dynamics of interactions involving violence, and of thus becoming able to develop effective approaches to prevention.

3.3.6 Staff training, continuing professional development, and extended education

The five preceding subsections have a single uniting implication: if the proposed ways forward formulated there are to be rapidly adopted in practice, the challenges promptly taken up, then staff training, continuing professional development and extended education will have a central role to play in the definitive structural integration of the pedagogical perspective from which the experience of violence is seen as a learning opportunity.

Many professionals will find it an unfamiliar perspective when they view young people’s experiences of violence as learning opportunities, especially if the young people concerned are “offenders”. With a few exceptions, no such per-

spective has ever been embraced either in training or in continuing professional development in any field of action. The dominant attitude has been and remains the condemnation or rejection of violence. In certain contexts condemnation and rejection are indeed an important basic stance (for instance in juvenile detention centres); however, approaches based on these attitudes alone generally prove inadequate for purpose. Experience of violence inflicted on others or suffered, in a myriad of different forms, is a part of everyday life for young people. But adults too, parents and professionals alike, when dealing with young people, are frequently confronted with violence.

The ability to see so many experiences of violence as so many learning opportunities requires a change of attitude on the part of adults, a new, communicative and interactive “basic stance” – with respect not merely to young people’s experiences with violence, but also one’s own experiences, and in the face of public ambivalence on the topic of violence.

This new basic stance has implications for individuals’ professional practice. In addition to “traditional” study of theories, methods and techniques, work with children and young people and their families requires a guided confrontation with attitudes to violence and experiences of violence. This necessitates full and frank confrontation with one’s own gender and one’s own social and cultural status. Only in this way is a basis provided on which it is possible for modified professional working practice to develop. Then learning opportunities that were not previously possible will become available to professionals and young people alike.

Training-period contact with young people’s experiences of violence, active and passive alike, needs to be given a new form and structure. This is true of all action fields and all the professions. In this respect the advance guard have been the child day-care centres³⁰⁴ and the youth services, but the obligation extends also to the schools, the police service and the judicial system. Relative to traditional practice, more cognizance needs to be taken of experiences of violence (including media-transmitted experience) and the implications for action must be heeded; in this context, the young people, their parents and their circles of friends will all gain in importance. More account must be taken of gender-related, social and cultural differences than hitherto. Permanent integration of the new perspective into professional practice will be accomplished more rapidly through continuing professional development than is possible through initial training. There are by now many programmes that address the issue of critical confrontation with violence, but most of them take the form of social-cognitive or behaviourist training courses with young people. continuing

304 This topic was studied as long ago as 1995 – 1999, for example, through the German Youth Institute project on “*Konfliktverhalten von Kindern in Kindertagesstätten*” (Conflict Behaviour of Children in Day-care Centres). The project provided the basis for the subsequent preparation of materials for the training of educators.

professional development courses incorporating the new perspective are a realistic prospect both in the team context and in the workplace, if there is to be rapid progress in transplanting the content into routine working practice and integrating it into routine training.

Along with this paradigm shift in training and continuing professional development provision in relation to violence prevention, however, a number of challenges specific to individual action fields have to be faced.

For example, in the action fields covering the police, the judicial system and the juvenile detention centres, the staff professionals (mainly made up of youth officers, juvenile court magistrates, custody service employees and the special advisers) do not always have adequate specific qualifications for working with the age groups 14 to 17 and 18 to 20. There is thus a need for general education in the problems of childhood and youth and in pedagogic method to be more strongly backed up than hitherto by additional teaching of competences specific to target group needs. It was to meet this need that the *Netzwerk Jugenda-kademie* (Youth Academy Network) was recently founded, under the sponsorship of the *Deutsche Vereinigung für Jugendgerichte und Jugendgerichtshilfe* (German Union for Juvenile Courts Help inc.), the *Deutscher Richterbund* (Association of German Judges and Public Prosecutors) and the universities of Hamburg and Magdeburg.

The repertoire of continuing professional development and extended education programmes dedicated to the theme of managing violence is large and multifarious, to the extent that professionals find parts of it difficult to navigate through. For quality assurance of programmes it would be desirable for professional standards to be established in this area. For staff training and continuing professional development, the methodological competence to carry through projects of violence prevention is essential, as are general soft skills in communication, conflict resolution and education. The institutionalisation of self-assessment, inter-colleague case discussion and the like may contribute to enhancing the standard of educational competence available in violence prevention. Possible new partners in this process would be organisations representing some of the ethnic minorities, who have hitherto featured only on an occasional basis.

However, the most frequently felt need at present is for adequate basic resources in funding and staff time. In this area it would be helpful from at least one point of view if it were possible to create incentives for staff to take continuing professional development courses on violence prevention – perhaps linked to the Bologna Process, i.e. with automatic credit for the qualification acquired.

Even though new perspectives are emerging in the field of violence prevention, new approaches have been trialled, concepts have ramified, and new action fields have been pioneered, there will be an ongoing need for *continuing*

professional development of the personnel, and for the acquisition of *fresh qualifications*. A consideration of some importance is that the growth in cooperations will necessitate a qualification amounting to competence in imparting the necessary knowledge of the structures and action rationales of the cooperation partners. A particular challenge for continuing professional development is to reach beyond the small proportion of highly committed personnel to bring in the much larger group of those who “don’t bother with continuing professional development”. Finally, it has become important to accord a higher priority than hitherto to transparency, so that the now crowded and potentially confusing training market can guarantee quality.

3.3.7 Quality assurance, evaluation and research

Like the topic of training, continuing professional development and extended education dealt with in the preceding subsection, quality assurance and evaluation may be seen as a cross-disciplinary concern: if the challenges enumerated in subsections 3.3.1 to 3.3.6 are to be met systematically and successfully, quality assurance and evaluation will be instrumental to the sustained achievement of the set objectives in – and with the help of – professional practice.

Quality assurance and self-evaluation procedures enable professional practitioners first to describe, then to critically review, and finally to further develop their own violence-prevention strategies in terms of quality of structure, quality of process and quality of outcome. These procedures should continue to be encouraged in practice and should if possible become established universally.

External evaluation strategies should be seen as a separate issue. Relative to quality assurance and self-evaluation procedures, they make much heavier demands on resources and thus have to be deployed selectively rather than universally. This is in all probability one of the reasons why there are still almost no published evaluation studies on violence-prevention strategies.

Academic quality assessment of programmes originating in German-speaking countries has generally not amounted to full evaluation but been limited to the set-up and procedures. Such studies tend to focus on the programmes’ process and structure quality rather than outcome quality. This is in fact entirely appropriate in the case of innovative programme models, given that a still relatively undeveloped programme cannot reasonably be evaluated in terms of outcome. Effects are indeed observable in these cases; however, as the internal logic of the programme is either still immature or insufficiently understood, interpretation is problematic. It is not possible to determine categorically how far the observed effect is attributable to the programme or elements of it, as opposed to having other, external, causation.

Where programmes are considered in Germany to have “evaluated” status and are attested as efficacious, the findings in all but a few cases have originated

outside Germany, in English-speaking countries. In many cases the evaluations had been carried out by the programme designers themselves or by institutions with close links to them – a circumstance which itself suggests a need for critical review.

At this point, accordingly, it has to be recorded as a deficiency not yet remedied that almost no independent empirical evidence exists as to either the efficacy of violence-prevention strategies or any circumstances that may favour them or militate against them.³⁰⁵ In spite of the considerable methodological problems, a key challenge still remaining for the future will be to obtain at least broadly substantiated information on the appropriateness, reach and sustainability of the strategies. Short of actually arguing for control-group studies as the only legitimate route to evaluation³⁰⁶, we see a need for additional effort in respect of both methodology and content to ensure that professional practice has access to reliable sources of at least contextually validated information. This is not something that practitioners can achieve independently.

At this point, then, additional research is urgently required in the interest of further development of the field. Priority aims of such research would be answers to the following three questions:

- Current distribution of existing strategies, also their operating conditions: although this report records definite progress in the further development of violence-prevention strategies, it has to be pointed out that – as already noted above – little is known about what programmes are available where, or about the extent to which they have become institutionalised. There is a need for something like a national survey of supply and demand structures across Germany, to enable implementation of programmes to be matched to requirements.
- Take-up by children and young people: the availability of violence-prevention strategies (along with public awareness of their availability) is a quite different matter from actual take-up by children and young people. From this perspective, the first point that needs to be clarified is whether and to what extent the strategies are actually reaching their respective target groups.
- Effect of the strategies: as indicated above, robust data and reliable information are needed in relation to the efficacy and sustained impact of the strategies as measured against their respective target figures.

305 The same finding of “No information as to efficacy” applies also to large areas of other social services and to most of the police and judiciary strategies.

306 This is the trend of the argument in the *Zweiter Periodischer Sicherheitsbericht* (Second Periodic Security Report) (BMI/BMJ 2006: 676 et seqq.). In our view this demand is unlikely to be realisable in its present form and has only limited applicability to purpose.

3.4 Essential and helpful factors in the broader social context

Chapters 2 reported the emergence of new challenges that – unlike those of Chapter 4 so far – cannot be the concern of professional practitioners alone. To put the point in another way: violence prevention does not occur in a vacuum, but in an environment of alterable social circumstances. The present subsection will accordingly list some emerging challenges that the field’s professionals cannot be expected to cope with on their own. If the generally encouraging picture sketched by the present review is to remain valid, there needs to be increased public and political support for a number of accompanying measures which we consider to be essential.

The welcome developments in professional practice that have been described above must not lead us to overlook the fact that our knowledge of the sustainability and transferability of the procedures and of the experience gained is still exceedingly scanty – as is our knowledge of the conditions required for the strategies to succeed. Greater effort thus needs to be made in the area of *evaluation* (► 3.3.7 “Quality Assurance”), especially in the form of *follow-up studies* in the field of violence prevention in childhood and youth. If in the course of this work the objectives pursued can be realistic and any overblown expectations (e.g. in the form of universally applicable patent formulae) firmly resisted, this would lessen the burden on all involved, and constitute positive help.

One condition is and remains not negotiable – this is shown by new insights drawn from dramatic events both in Germany and in other countries: children and young people must not be allowed access to weapons of any kind.

At the same time, and in direct defiance of the newsworthiness of spectacular acts of violence, there needs to be a more conscious and explicit honouring of, and support for, those who live non-violent lives. Among adults as among young people and children, an overriding ethic and culture of non-violence and of pro-social interaction must be observed and must govern the conduct of politics and society. Rather than constantly drawing attention to shortcomings, public pronouncements must focus more on positive examples and successes in the work of coping with violence. Families and schools are not, as a rule, nurseries of violence. The great majority of them are the setting for the work of social education and social integration that make civil society possible in the first place.

Work with parents needs more input. Parents in the upbringing role must show a live response to such things as learning successes both at school and in the context of child and youth services, but also to interventions on the part of the police or the law. It is not in the field of violence prevention alone that redoubled efforts are needed to involve and to support parents, especially those who find

themselves unable to cope adequately with the demands of child upbringing. Reproaching them for failure or incompetence in child-rearing is an inappropriate way of making a fresh start, totally at odds with the constructive approach of emphasising the availability of support during the fulfilment of parental responsibilities, and, where appropriate, of viable *Erziehungspartnerschaften* (cooperative arrangements involving family and child/youth service professionals).

Successful *cooperative programmes* for institutions are of central importance in the field of violence prevention in childhood and youth as they are elsewhere. But cooperation does not come free of charge. It requires sufficient resources, and it requires the political will to see it happen. The tasks of protecting the structures that have evolved over recent years, and of further developing and supporting them in response to need, remain the responsibility of public policy.

If violence prevention is to succeed, it has to be accompanied and supported by consistently effective social policies. To give children and young people access to solid future prospects, to support their education and qualification; to make it open to them to participate in society and share its benefits; to combat the increasing division of society in the cities and between the regions: all these objectives, along with acknowledgment of the individual and of the individual's worth, continue therefore to be challenges, and at the same time absolute imperatives, not least in the context of prevention of violence in childhood and youth.

3.5 Developing Violence Prevention with a Keen Judgement – Tasks for the Future

With its overview of the essential fields of violence prevention in child and youth age groups in Germany, the present report makes it clear that professional strategies in this area have developed to an impressive extent in the last fifteen years. Despite all the differences with respect to their target groups, the questions they pose, and those actively involved, recent developments have one thing in common: that actual or potential violent behaviour by children and young people is viewed primarily as an educational challenge. This means that, in Germany, a broad form of professional practice in violence prevention, which crosses professional boundaries, has established itself alongside the inevitable repressive, supervisory, and protective measures, representing a stable point of departure for the developments needed in future.

The task now is to tackle the key challenges in professional practice with the support of policy. For this there is basically no need – as far as can be discerned at present – for new and fundamentally different approaches or structures. As already suggested on several occasions, what is being advocated here is for violence prevention in child and youth age groups to be understood as a

task for every form of educational practice, as well as for the police and judiciary. It requires qualification of existing staff and programmes, not the establishment of new, special services; it requires an improvement in cooperation, not the foundation of new intermediary bodies.

When considering the overall positive assessment of this report, it should not be forgotten that there are major regional differences in the availability and state of development of the strategies of violence prevention in child and youth age groups presented here. While in urban areas, in particular cities, numerous provisions are to be found, the same cannot be affirmed of rural regions. There are regional emphases on particular programmes which, elsewhere, are almost unknown. The provision of independent providers, for example in the area of youth offending teams, varies from one youth office district to the next, with discrepancies which cannot always be understood in practical terms. On the one hand, behind such regional differences in implementation there lurk heterogeneous configurations of problems. On the other hand, however, these developments are also an expression of political decisions and extraneous constraints, above all financial ones. Many institutions lack the required resources, even though they are needed from a practical point of view. The violence-preventive or violence-reductive development potential of children and young people is, however, squandered when their place of residence determines to what degree they are able to make use of learning opportunities in these contexts.

Regional availability does not, however, necessarily mean the same provisions for everyone everywhere. Of primary importance is the violence-preventive measures' accuracy of fit. Their strategies and concepts must be open to the needs and skills of the children and young people. They must be developed collaboratively in the field, or be capable of being adapted to specific local conditions. It is not a question of simply distributing complete blueprints around the country; the skills of young people and professional staff are the starting point for violence-preventive behaviour. This is why professional evaluation so important.

However, this evaluation also assumes better knowledge of the preconditions for, and extent of, the strategies available. Of central importance, therefore, is a considerable intensification of evaluation of, and research into, practical approaches to date, and the clarification of conditions for their success or failure.

The present report shows that developments in the field of violence prevention – similarly to those in other fields – follow the trend towards forward displacement of intervention. As legitimate and self-evident as this increasingly early implementation of preventive strategies may be on the one hand, one should not associate with it two expectations which repeatedly crop up:

First, it would be frivolous to adopt the view that problems can be solved solely by the forward displacement of public attention and corresponding support

programmes. In view of the manifold situational opportunities for violence in child and youth age groups, the challenge of age-specific and situation-specific violence prevention still remains.

Second, no preventive measure – however good or extensively developed – can completely prevent social problems such as violent behaviour in child and youth age groups. As important as preventive approaches are, one must also warn against any omnipotence fantasies concealed behind them.

In addition it must be recalled that every public preventive measure in addition always represents intervention and supervision by the state. Even if these are motivated by such good intentions as the prevention of offences, the question still remains of how far public educational and regulatory intrusion may reach.

It is therefore a question of sounding out the limits and possibilities of (violence) prevention within the premises of a liberal society. The responsibility, already repeatedly mentioned, to justify the use of the label “violence preventive”, and the self-imposed restriction of its use to those strategies which prevent or reduce violence in child and youth age groups in a comprehensible way, is to be understood as a contribution to clarity on this point.

What seems necessary is further development of violence prevention in child and youth age groups with a keen judgement. The conditions for this are favourable.

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4 Appendix

4.1 Briefing on the Status of Violence Prevention in the German Federal Republic together with Central Requirements for Establishment of Sustainable Structures³⁰⁷

Report on the Meeting of the Heads of the State and Senate Chancelleries on 20th and 21st September 2006

Starting Point

With their Decision dated 26th June 2003, the Head of the State Governments re-emphasised that following the dreadful events at the Gutenberg Gymnasium in Erfurt, the entire social alliance for the rejection of violence and its glorification must be supported at the highest political levels.

It was demanded that there be improved co-operation and co-ordination between all the public bodies and institutions concerned with this area and its various multiple aspects; the *Deutsches Jugendinstitut* (German Youth Institute) and the *Programm Polizeiliche Kriminalprävention der Länder und des Bundes* (Program for Police Orientated Criminal Prevention by the Federal Government and the States) were to be thoroughly involved. The *Deutsches Forum für Kriminalprävention* (German Forum for Crime Prevention) was requested to initiate the necessary discussions, networks and co-operative arrangements.

The Heads of the State Governments, furthermore, declared their desire for a federally-based long-term professional public relations operation in support of violence prevention, in order to provide awareness to the public and all agencies and departments within our society who are concerned with this issue. They requested that the German Forum for Crime Prevention prepare an appropriate initiative whereby they made the assumption, on the basis of their meeting with the Federal Chancellor on 6th May 2002, that the funds required amounting to 2 million Euro, for the public relations campaign initially scheduled for two years, would be provided by the Federation.

This briefing is intended to provide information regarding the work stages commenced in the implementation of the Decision and the results produced so far. At the same time it is aimed at supporting the practical confrontation and

307 The following paragraph documents the abridged report of the work group formed by the German Forum for Crime Prevention, the Program for Police Orientated Criminal Prevention and the German Youth Institute in order to brief the meeting of the head of the State and Senate Chancelleries.

management of violence within the child and youth age groups. From a context in which there have been manifest positive developments in the prevention of violence during the previous 15 years, this report will conclude by listing the foreseeable challenges and areas where political support is required.

Implementation Stages

Written Questionnaire

For the preparation of the proper implementation of the Head of State Government's request, as part of the first stage the German Forum for Crime Prevention undertook to compile an overview of the operative measures and initiatives currently in place for the prevention of violence in child and young persons age groups, including dealing with the various operative stakeholders. This concerned the ascertainment of potentials for the increase of efficiency with regard to networks, bundling of responsibilities and co-operative arrangements.

In spring 2004 written questionnaires were dispatched to the relevant Federal Departments and Ministerial Conferences, as well as all other central non-statutory welfare associations, and all other central independent organisations involved in this area and operating on a Federal level. These were requested to provide information on the extent to which the individual recommendations issued by the Heads of the State Governments regarding the proscription of violence and the strengthening of the educational power of the schools and the family unit have been discussed or implemented. In conclusion an evaluation was requested as to which measures and initiatives have proven more or less successful.

The results of the survey made it clear that in Germany there has, in the meantime, been the development of a broadly diversified range of projects, measures and programs that respond to those problems and fields of action specified in the Head of State Government's determination. Meanwhile statements regarding, for example, the degree to which target groups have been accessed, or on the effectiveness and sustainability of measures and programs are rather the exception. Despite all of the advances already made, it is evident that there remains further scope for development in the direction of networked, coordinated and co-operative action.

Public Relations

The requested initiative with regard to a nationally targeted long-term professional public relations operation to promote the prevention of violence has, at the outset, been undertaken by the German Forum for Crime Prevention using

its own means, with the commissioning of an expert report, which in summary yielded the following conclusions:

It is the aim of the campaign to tie-up with the already existing nationwide and supra-regional campaigns, which pursue similar interests such as the *Kinder stark machen* (Making Children Strong), or *Stark durch Erziehung* (Strength through Education) campaigns. By this method it should be possible to attain a long-term public relations operation in this area. Using adjusted messages, differentiated according to the particular target groups, and by means of various thematic interconnections, it becomes possible to pursue the concerns of violence prevention with opportunities for long-term sustainability.

As a starting point, it is recommended that there be an image campaign on the subject of upbringing, the aim of which should be to strengthen of the recognition and appreciation of the work of the various applicable institutions and specialised personnel, as well as to promote the development of educational expertise.

No funds have been made available to the German Forum for Crime Prevention for the detailed planning or the instigation of concrete measures. The expectations the States had of the the Federation with regard to the public relations operation have not been fulfilled.

Expert Reports on the Subjects of Maleness and Violence

Because violence within the child and young persons age groups remains, as before, a predominantly male phenomenon, whereby this aspect is continually downplayed within specialist practice, the German Youth Institute has initiated more expert reports on the issue of what concepts for further development there are in this area. The results will be made public as part of a publication at the end of the year.

Compilation of the Report on Strategies for Violence Prevention in the Child and Young Persons Age Groups

The evaluation of the German Forum for Crime Prevention questionnaire has, with regard to its content and conceptual layout, made visible a remarkably large diversity of projects, measures and programs. These concern national or state-wide programs on the one hand, and regional or local initiatives on the other; the projects were in part related to individual institutions. The model programs and further developments in daily practice were highlighted, including forms of new practice concepts, continued and advanced training, practice and information materials, campaigns, legislative initiatives or the introduction of new guidelines. Given this diversity and in order to be able to make informed statements about the current state of violence prevention strategies within the child and young persons age groups, it was decided to prepare an

extensive report on the subject which tracks the specific direction of strategies for the prevention of violence as practiced by the specialists in this area. The responsibility for the co-ordination was assumed by the *Arbeitsstelle Kinder- und Jugendkriminalitätsprävention* (Centre for the Prevention of Youth Crime) at the *Deutsches Jugendinstitut* (German Youth Institute) in Munich.

The report concentrates – in accordance with the focal areas of the Head of State Governments’ Decision – on six fields of action: family, child day-care, out-of-school services for youth welfare, schools, police and the justice system. Where relevant within the individual areas of action, the subjects of migration and gender are tracked as cross-sectional subjects.

In order to prepare the report the German Youth Institute, with the participation of the German Forum for Crime Prevention and the relevant experts from the Program for Police Orientated Criminal Prevention, first commissioned relevant experts with describing the current state of the discussion within the respective fields of action by means of comparable guidelines, and secondly with the definition of the challenges. In order to concretise or expand on the evaluations and the specified need for action, the German Youth Institute, by means of expert hearings, held in conjunction with the German Forum for Crime Prevention and the Program for Police Orientated Criminal Prevention, subjected these written reports to an expert commentary. The report will be issued towards the end of this year.

One point of that was emphasised within the report related to the strategies for the prevention of violence upon which local practical projects, measures and programs are based. In this way an overview is provided with regard to the status of the conceptual and methodical principles and the impending challenges for the prevention of violence in the child and young persons age groups – irrespective of the realisation of these within the specific projects, measures and programs.

The report makes the case for a narrow definition of violence prevention. In view of the almost exponential expansion as to what is now understood under the definition of “prevention of violence”, this report therefore differentiates between:

Strategies which are primarily directed towards the prevention or restriction of violence from or among young persons and

Programs and measures, which – regardless of the background motivation, i.e. which for example are directed at strategies regarding the family, educational, social, employment market, or which are pedagogical or integrative – which in the best case are effective in the prevention of violence.

Taking as two examples, firstly language courses in kindergartens for children and immigrant parents, and secondly the programs for strengthening the ability of parents to raise their children, it is clear that these services are neither pri-

marily designed for the prevention of violence nor do they have a causally justified connection with the same purpose. Rather, in the above cases, they are directed towards the social integration of migrant families and the provision of general support given to parents in coping with their parental responsibilities. It is, of course, true that given the correct conditions both programs can also be effective in the sense of preventing violence. But it would not be compatible with their function and their meaning if these programs were to be reduced primarily to their violence prevention aspects. It makes little sense therefore to understand these programs in terms of violence prevention.

This differentiation has consequences for various aspects, not least when asking questions that evaluate violence prevention activities. It is only possible to evaluate the success of projects, strategies, measures and programs, which have as their objective the prevention or reduction of violence in the child and young persons age groups, from precisely this perspective. It would not be apt to make this evaluation in respect of language courses or programs aimed at the improvement of the ability of parents to raise their children – staying with our two examples – or even general social-political measures simply because of the violence preventative effects that these may have.

The following contains a summary, in thesis form, of the most important results of the report and of the work of the German Youth Institute, the Program for Police Orientated Criminal Prevention by the Federal Government and the States and that of the German Forum for Crime Prevention. This is followed with a section dealing with the political support required in the area of violence prevention in child and young persons age groups.

On the Current State of the Violence Prevention in Germany

Since the publication of the report by the so-called Violence Commission over 15 years ago, Germany has implemented remarkable developments and successfully established itself in the area of the prevention of violence within the child and young persons age groups. After the violence associated with football fans and politically motivated violence (in the public sphere), together with domestic violence and violence in schools, were recognised as challenges to be confronted, and after the discussion swiftly focused on the “right-wing” youth violence, the view during the nineties was broadened to include the multifaceted phenomenon seen in the child and young persons age groups. This had in the meantime developed to include non-public (domestic) violence as well as psychological violence and various forms of structural violence experienced in various situations. This expanded view steered attention towards “new” forms of violence: workplace harassment, bullying or stalking have been publicly discussed and recognised as challenges to be faced in practice and by the police, judicial system and political forces.

Integrated into this expanded view, which included consideration of violence experienced within child and young persons age groups, was the objective enhancement and further development of violence-preventative strategies within the various fields of action. This was based not on mere far-reaching expectations with respect to prevention, but more so on the widely shared conviction that violence within the child and young persons age groups can primarily be managed through upbringing, learning and the acquisition of skills. In fact there are parallel suppressive, controlling and protective measures that were made available, in part developed further and adapted and where required, actually implemented. In general however, the belief diminished that violence in these age groups could be stemmed using these means – furthermore, in a few cases the unforeseen and problematic ancillary effects that accompanies youth detention, for example, could not be overlooked.

Taking an overview of the various fields of action, the following development can be identified:

In part stimulated by political forces and in part by specialist practice and expert discussion, today there is a wide spectrum of concepts, strategies and practical methods for the prevention of violence in child and young persons age groups. These are differentiated from one another by age, situations, gender and cultural contexts, which particularly in Germany, with its considerable proportions of migrant children and youth, is of central importance. Pedagogical strategies always take into consideration the fact that children and young persons are growing individuals who are developing their identity and are looking for their place and therefore require various forms of assistance and support. It is necessary here to support and foster, but also to provide protection against making excessive demands.

This quite rapid development and the quantitative and qualitative expansion of violence prevention can moreover be emphasized using the example of the work undertaken with football fans. With the recommendation in the “Violence Report” for the continued expansion of work with fans, fan projects can today be seen in all geographical areas. The co-ordination work carried out by branches of these fan projects means they are networked on a national level jointly developing common expertise. Over the years – and certainly in part through sometimes controversial discussions – the co-operative work undertaken with the police has been given a reliable professional basis taking into account the respective responsibilities and roles. The fan projects are networked to one another internationally and it is self-evident that large-scale events, such as the football World Cup, will see intensive preparation in co-operation with other national fans projects as well as the police. This, too, demonstrably played a part in the peaceful running of the World Cup in 2006. Other examples of these developments that have arisen in the meantime are the various forms of mediation and dispute negotiation that is witnessed in many schools.

The debate carried on by experts with regard to violence prevention has by now crystallised into a position, whereby the violent behaviour of children and young people is only regarded as one aspect of their behaviour rather than the central aspect. The focus is increasingly directed towards their competences, while at the same time violence is viewed from a background of the respective social and cultural contexts. Put into one simple statement: these strategies are aimed at tackling the problems that young people experience rather than the problems they create.

This increasingly involves taking account of the social milieu when formulating the strategy. Key phrases employed here include the concept of orientation to the social area and to the school environment. These are based on the idea that is not merely the specific behaviour that needs to be changed; rather it is the environment that promotes this behaviour. Included within this, in a wider sense, are – until now too little developed – those approaches which aim to provide support to “peaceable” peer groups.

A similar development can be registered in the programs and projects to counter right-wing extremism: Whereas for a long time suppressive strategies have been focused upon in tackling right-wing organisations, these increasingly preventative strategies, directly related to young people with a right-wing orientation, were put to one side. The newer programs on the Federal level (e.g. programs of action for democracy and tolerance – against right-wing extremism, xenophobia and anti-Semitism promoted by the “Civitas”, “Entimon” and “Xenos” programs) and the State level place much greater value on utilising the potentials of civil society and therefore make deliberate efforts to strengthen the local democratic structures. Even though this by necessity implies the continued support for “perpetrator-orientated” projects, at the same time purpose-designed structures are created for victim counselling and victim support.

Alongside the ongoing or newly developed approaches, Germany has witnessed the adoption of a whole series of strategies from other countries, which have been adapted to local conditions or which have been transferred in accordance with the stipulations of the developer. A not insignificant proportion of these processes are licensed. On the one hand, this ensures far-reaching compliance with the standard; on the other hand this creates a new, if smaller, market with the consequence that the best programs cannot always be implemented everywhere due to cost and licensing reasons.

In Germany the awareness rapidly gained credence that the prevention of violence is the responsibility of society as a whole and co-operation therefore forms a central pre-condition for successful violence prevention. The boundaries and attitude of reluctance built up over the years between the various organisations (primarily child and youth welfare bodies, police and schools), institutions and individuals have been dismantled. New forms of co-operation

and bodies have been formed. The local crime prevention councils or round tables are the most widespread examples of these new developments and attitudes.

This co-operation and the resulting necessary clarification of the relevant respective tasks and responsibilities have made a decisive contribution to the improvement of actual practices. Co-operation between school and youth welfare agencies, co-operation between youth welfare agencies and police, co-operation between police and schools, co-operation between the justice system and youth welfare agencies etc. no longer is an exotic discussion topic; rather these types of co-operative arrangement have become elements forming part of everyday professional activity. Associated with this are interfaces, particularly for the police, vis-à-vis new partners on the local and supra-regional levels.

The orientation of the preventative attitude has – when viewed as a whole – led not only to shifting between the fields of action, from the justice system to the child and youth agencies for example, but also to a forward displacement of the advertencies. Much more than previously, education is today viewed as a peaceful solution to conflicts whereby the acquisition of the appropriate skills is also viewed as the responsibility of the family, infant day-care facilities and primary schools.

Important other developments have also been seen in the area of the legislature. Examples to be mentioned here are the Protection Against Violence Law and the legislative basis given to the right of children to a violent-free upbringing, as well as the reform of the *Jugendschutzgesetz* (Law for the Protection of the Youth) 2003 with the associated *Jugendmedienschutz-Staatsvertrag* (State Contract on Media Protection of Young Persons³⁰⁸).

These positive developments come with – as shown by the reports from the fields of action – with a series of challenges.

Within the fields of action there remains crustification and ossification, which must be overcome in terms of developing of sustainable strategies. In the justice system, for example, there are obstructive barriers between the juvenile and family courts. In many places there are only rudimentary structures and bodies for the requisite exchange within and between the fields of action. And interruptions to the promotion of violence prevention, which often occur following politically driven spectacular results, impedes the necessary grounding in daily practice and general co-operative efforts between the various fields of action. Moreover, inadequate co-operative efforts invariably lead in practice to

308 *Staatsvertrag über den Schutz der Menschenwürde und den Jugendschutz in Rundfunk und Telemedien* (State Contract for the Protection of the Human Dignity and the Protection of Young People in the Radio and Television Media).

parallel developments as well as inappropriate regional decision-making in the factual preparation of violence prevention measures.

The comprehension that violence in children and young persons often is based on early childhood and familial causes has led to the public and political demand for the detection and prognosis at the earliest possible stage of the potential for violence in small children and their families. As important and justified as these measures are, they should not lead to the assumption that merely by the forward displacement of public awareness and appropriate programs of assistance can all these problems be solved. In view of the many situational opportunities for violence within the child and young persons age groups, there remains the challenge of age-based and situation-relevant prevention of violence.

Children and young persons are quite often the victims of violence rather than the perpetrators. The dynamic inherent in the relationships in many situations makes it difficult to distinguish between perpetrators and victims; strategies for the prevention of violence must incorporate the perpetrator-victim status change. Currently within this context there is a deficit that must be balanced in supporting young persons' as victims of violence, because until now, in particular, the institutionally and structurally-based concepts and the implementation of these are missing.

Furthermore, strategies for the prevention of violence must take better account of the relevant target groups than has previously been the case. Because it is evident that it is boys who are more primarily associated with violence, it is crucial that the conceptions include a reflection of the male gender roles. The differing needs of boys and girls must be taken into account. For children and young persons coming from a migration background too, who were born and sometimes were brought up outside of Germany, or whose parents or grandparents are immigrants to Germany, there is largely an absence of meaningful services. Alongside this kind of special support service, the intercultural opening-up of regular services is necessary; the participation in organisations by migrants must be better achieved than has been the case. In the medium-term greater importance will be attached to the question as to what effects these "new" target groups of violence prevention have from a strategic perspective.

Parental work poses a particular challenge in all areas of action and urgently demands new concepts. The discussion about the strengthening of parental educational competence is still manifestly too general at this point. Of especial importance within the context of the prevention of violence, is the support of parents regarding the use of media by their children and the accessibility to those parents who cannot cope with the upbringing of their children.

Even, when as part of the violence prevention strategy, new approaches are tested, concepts are differentiated from one another and new areas of action

are opened up, there remains the necessity for continuous training and advanced training and proper qualification of specialist staff. And not least there remains the challenge of expanding the co-operative arrangements with violence prevention programs. Available resources could still be utilised so much more effectively, i.e. earlier, more extensively and better targeted. Associated with this are challenges with respect to training and advanced training, the structuring of the framework conditions and clarification of roles for those involved.

Central Political Challenges for the Prevention of Violence in Child and Young Persons Age Groups

The majority of the challenges set out in the previous section are primarily directed at the specialist practitioners within the respective fields of action. Because the requisite developments still need encouragement and support from the political powers, this concluding section will describe those current central challenges to which the political authorities must turn and be active. At the outset it is again made completely clear here, that in Germany the recent development in violence prevention strategies is based on the primary understanding that this constitutes a challenge with regard to the education of children. Irrespective of suppression and control measures and the protection of children and young persons, the education of children still requires more support. There then follows a short description of the most important starting points for political action for the further development of violence prevention, which will effectively introduce the final section which examines the supporting framework conditions required for a successful prevention of violence strategy.

Violent Behaviour in Children and Young Persons as a Task for Education

Despite all the differences between them, the strategies described above are based on a common idea: violence in child and young persons age groups can only be tackled in a sustainable manner, if one deals with it head on employing a method specifically adapted for the particular age and situational circumstances. This, moreover, is based on the perception that non-violence or the rejection of violence remains a demonstration of desirable and universally applicable goals of human beings who wish to live among one another. At the same time it is evident – and quite clearly so – that violence in all its various forms is a phenomenon experienced in all known, i.e. modern societies. Therein lies the importance of confronting it in child and young persons age groups with an appropriate strategy. One could term this the educational view to violence – in contrast to efforts to make violence taboo, to suppress, prevent or restrain it.

This educational view of course does not substitute the reactions of the police and the justice system to severe violent or criminal acts. But even a cursory glance at the various fields of action shows, in the final analysis the prominence, whether it be in the area of family upbringing, the schools, in the various areas of child and young persons welfare, the justice system as well as the with police-based programs, of the idea of social learning by children and young people and the corresponding acquisition of skills as the significant factor in the countering and early avoidance of violence. The idea of education therefore is not only a characteristic seen in the Juvenile Justice Law, for example, and in the recent discussions on the draft of the Administration of Juvenile Justice Law and all the decisions derived from it. It is also a characteristic – even if very often implicit – of numerous efforts of the police (e.g. in the form of talks with risk persons or educational discussions undertaken by police officers, clarification campaigns instigated by the Program for Police Orientated Criminal Prevention, co-operative strategies with child and young persons welfare agencies and the schools amongst others).

In the other public fields of action discussed here, the educational concept is given the same priority as other tasks such as the transfer of knowledge in schools, for example, or ensuring the well-being of children by child and young persons welfare agencies. With regard to the family, or more precisely the parents, their right and primary responsibility of raising their children is legally written into the constitution.

The emphasis on the idea of education also means that the occurrence or threat of violence in child and young persons age groups is to be seized upon as an opportunity for learning. The mandatory pedagogical discussion and the education methods of dealing with violent behaviour are part of every day social education in families, kindergartens, and schools, in (social) working with young people and in neighbourhoods. At the same time the experiences and methods of dealing of violent children and young people can be used for educational purposes, for example, in teaching conflict resolution skills, or to practice the non-violent expression of conflicting interests among groups of young people. Using violent behaviour as an educational opportunity in preventative work with children and young persons does not at all entail the acceptance of violence, nor does it downplay its significance nor render it harmless through “soft” pedagogy. Rather it concerns properly using the conditions and opportunities within the child and young persons age groups as a developmental phase.

The participating institutions have – both within their own particular fields of action as well as through increasingly including other fields of action – constructively used their responsibilities in this context and linked many activities together in a productive manner.

The educational approach and the many co-operative arrangements have contributed to a situation whereby there has been no dramatic escalation in violence among children and young persons in Germany for quite some time. The results of these educational efforts have produced a quite positive interim success. There are requirements for further development of details and further improvements are possible and necessary.

Further Development of Violence Prevention – Points for Political Involvement

These positive results must be built upon. This requires political support in various forms. It is the concern of this briefing to guide the attention of the Heads of the State Governments to a series of central issues, which are to be promoted within the respective political levels:

There remains a significant deficit regarding the area of boy-specific work. The knowledge and the connections between violent behaviour and gender, and certain masculinity concepts in particular, still need to be fully exploited in the work of violence prevention. The greater majority of the approaches are still gender-neutral, and do not adequately tackle the demands and adversities of precisely those boys who do not have a positive perception of maleness and who therefore become guided by questionable role models and clichés which are frequently associated with aggressive behaviour. Whereas for girls – as part of the social work undertaken with girls, or in schools or vocational training – there are now numerous targeted initiatives (e.g. in the form of self-assertion courses), the work done with boys exhibits a greater scope for potential development. Further trials and developments are necessary to precisely identify avenues for aggressive and violent young males by which their violence behaviour is not simply sanctioned, but where personal chances of development are transformed into a pro-social personality.

Stimulus is also required with regard to improving the consideration of the cultural and milieu-specific background of the young person in connection with violent behaviour in child and young persons age groups. Violence and physical strength have various meanings in different cultural contexts. To ignore these different meanings and value orientations – which does not mean the same as accepting them – entails the systematic exclusion of children and young persons from learning, with the consequent denial of chances for development.

It is still the case that too many approaches to violence prevention place too much emphasis on language. There is however a group of young persons whose verbal skills are limited and who are easier to access via their own particular cultural style. Possibilities are provided in this respect instead by body-orientated approaches, which have indeed been developed and tested, but which are still not used widely enough. In this context there is a requirement for the further opening up of sports to enable forms of expression and move-

ment that appeal to the young, together with a parallel more powerful orientation towards goals that promote the prevention of violence.

In order that by tackling violence real learning opportunities can be created, rather than simply employed to generate socially desirable behaviour over a short period of time, there is the need for significantly better inclusion and participation of children and young persons. Only the mandatory and credible participation of aggressive and violent young people on the one side, and expert personnel on the other, can facilitate learning processes orientated towards non-violent and pro-social behaviour. This includes the requirement that children and young people are given the opportunity, appropriate to their age and situation, to help arrange the rules by which their daily lives are organised.

Alongside the expert personnel, importance must be given as well to the peers and same-age groups. These too can play an important part in the learning process. The potential residing in same-age groups for the de-escalation and prevention of violence has for too long been ignored in the German-speaking region. It is necessary in this respect to use targeted proposals to exploit these residual opportunities in the future.

One particular challenge is that which is presented by the victim work with children and young persons, which until now has not been adequately developed. To be a victim is still associated with a double humiliation and exclusion experience – by experiencing one's own vulnerability on the one hand, and the public degradation on the other. In this respect, supporting and advisory services are required for the victim, while with regard to the respective social environment, methods of management that bring relief must be consciously promoted. The child and young persons welfare agencies together with the schools, more than most, could learn a great deal on this area from the good experiences unearthed in the police model programs.

The work with parents must also be reinforced. Learning successes in the schools, within child and young persons welfare agencies and interventions from the police must be echoed in parental educatory behaviour. In order to enable and support the participation of parents, not least those parents who cannot cope with their child raising responsibilities, more intensive efforts are required, particularly in the area of violence prevention although not exclusively so. To hold their failure or incompetence before them with regard to their work in raising their children is not a suitable starting point and one which is to be countered with the situation where the emphasis is to be placed on the availability of support in the exercise of parental responsibilities and in creating viable partnerships in raising children.

Purposeful co-operative arrangements between the institutions in the area of violence prevention in child and young persons age groups – supported and wanted by the political powers too – are of central importance. But co-operative arrangements are not to be had for nothing. This requires adequate

resources and political motivation. The maintenance of the structures that have developed over recent years, to develop and promote these further according to needs, remains a political responsibility.

Dealing with violence and the particular challenges posed by working with children and young people has not developed into a mandatory component of the vocational, continued and advanced training within all the professions. In order to create the conditions for sustainable learning, it is necessary that, in addition to the standard preventative approaches, increased use of violence reduction and prevention skills be deployed in everyday pedagogical activities. This assumes the establishment of framework conditions for professional work practices that facilitate the reflection of the specialist staff in relation to their own experiences and attitudes to violence, their own gender identities as well as the particular circumstances of the children and young people. This does not entail the development of new and fundamentally different approaches. Rather it is much more important here to further develop and better support that which is tried and tested. Put simply - there is no current need for new structures in the area of violence prevention, rather what is required is the proper qualification of the existing structures.

The welcome developments in specialist practice, described here above, may not be overstated thereby hiding the fact that the knowledge about the sustainability, the transferability of methods and experiences, as well as the conditions for the success of the strategies is still of an extremely moderate level right now. What is needed therefore are increased efforts in the area of evaluation, above all in the form of follow-up studies in the area of violence prevention within the child and young persons age groups. The fostering of the pursuit of realistic goals with freedom from excessive expectations (such as the pursuit of non-practical universally applicable formulas), would be helpful and facilitate the process for all those involved.

Requisite Social Parameters

All efforts for the further development of violence prevention within the child and young persons age groups would remain ineffective, if they were not to be embedded in corresponding institutional parameters and social-political efforts. Attempts at conflict resolution would quickly be held ad absurdum, if, in the more immediate environment of the participants, e.g. in the kindergarten, in the schools, in the youth groups and in the town districts there is not an adequately supportive prevailing climate.

One condition that must be, and remains to be, fulfilled – and this is demonstrated by knowledge derived from shocking events in other countries as well as in Germany – is that children and young people should not have access to weapons of any type.

Alongside this, and contrary to the orientation towards spectacular outrages, there must be a more conscious appreciation and support of the non-violent. For adults as well as for children and young persons, there must be a governing ethic and culture of non-violence combined with pro-social behaviour that then should be transformed into a political and social maxim. Rather than continually focusing on the failures, more emphasis must be laid on the positive examples and successes in dealing with violence. Families and schools in general are not nurseries where violence is bred, rather they present structures wherein social educational and integrational functions are fulfilled and which are only made possible by the existence of a civil society.

The media and its providers have a central responsibility to fulfil in this regard. Representations and scenes of violence should not form the basis for any commercial advertisement. But the specialist practitioners and parents likewise have a role to play. They must become capable of adequately handling the new technical possibilities, in order that they can teach children and young people to act responsibly.

In order that violence prevention is successful, it must be accompanied and supported by a sustainable effective social policy. In order to create real opportunities in the futures of children and young people, to support their training and attainment of qualifications, to open up opportunities of partnership and participation, and to counter the increasing divisions within society in towns, cities and regions, there still remain unshirkable challenges including the prevention of violence within the child and young persons age groups.

4.2 Young-Male-Specific Approaches to the Prevention of Violence

Preliminary Note

“Violence”, as numerous studies and practitioner reports attest, is still engaged in primarily by young males. But this finding has yet to be taken up on any significant scale in the prevention of criminality, at least as reflected in theory. While it is true that in violence prevention in particular the primary target has been and still remains the young males group, and that programmes are not infrequently designed to address this group exclusively, there is an almost complete dearth of young-male-specific theory.

This may well be in part the result – an unintended result, it must be conceded – of the immense theoretical output from gender research. The debates over “hegemonic masculinity”, “doing masculinity”, “engendered structure” and the “gender regime”, framed as they have been in sophisticated theoretical constructs by contributors ranging from Pierre Bourdieu by way of Niklas Luhmann to the now seemingly boundless ocean of writings on the category of gender, together with further extensions taking in the diversity debate, cannot be said to have produced a readily usable general theoretical framework.

Relevant German-language research also includes a number of anthologies pitched at a semi-theoretical level and describing, on the one hand, the life-situations of young males from various perspectives, and, on the other hand, educational approaches to work with young males – including, in some cases, explicit reference to the issue of violence. Violence prevention is presented in these essays generally in exemplary form, e.g. as an individual approach tried, or as an illustrative account of a particular area of practice. Of the concepts and strategies presented in these studies, many have the character of a model – which in fact not infrequently tends to impede their adoption as standard practice.

An area that, in comparison, receives too little attention is everyday educational practice. On the basis that model-type concepts can and should provide intellectual stimulus, whereas ultimately young-male-specific approaches to violence prevention need to become a matter of course in the everyday educational practice of the institutions and action programmes, the *Arbeitsstelle Kinder- und Jugendkriminalitätsprävention* (Centre for the Prevention of Youth Crime) has sought to focus attention on routine educational practice while at the same time trying to achieve an overview of the past developments and current status of theory and practice in pre-school and school education, youth employment,

sport, and *Jugendberufshilfe* (support service for youth in transition from school to work).

To this end, the Centre commissioned five expert reports aimed at describing the current status of young-male-specific violence prevention in the fields of action named.

Our underlying assumptions were:

- There is a largely undisputed and criminologically demonstrable correlation, as indicated above, between violent behaviour and masculinity;
- In current standard educational practice, young-male-specific (gender-aware) programmes aimed at violence prevention still play no more than a marginal role;
- Violence-prevention programmes have not hitherto sufficiently addressed the different life-situations and problem-situations of young males;
- Gender-specific violence-prevention programmes permit easier access to young males and a better working relationship with them; so there should be further development of programmes of this type.
- All the research teams were asked to address the following questions:
- Are there specific violence-prevention programmes for young males? If so, how are they structured, what are their theoretical premisses, and in what way does their theory relate to standard practice?
- In the programmes, what role is played by physicality?
- What images of the young male or of masculinity are invoked by the young-male-specific approaches, and what are their a priori theoretical assumptions?
- Is there a gender-specific approach to work with parents?
- Are opportunities afforded for individual reflection on male and female gender roles and role-model representation, and are such opportunities institutionalised?
- What role is played by the various ethnic backgrounds?
- In what way is the issue of social environment addressed?

Teams were also requested to furnish short accounts of experience in other European countries, where possible.

The findings from the five research programmes are summarised below in the form of propositions. The research undertaken focused primarily on the professional youth workers and their activity, and this determined the way in which the propositions are framed – at the expense of the equally important perspective foregrounding the young males themselves. It will therefore be important to accord the young males themselves greater prominence at a future stage. The propositions set out below are thus only an initial step aimed at stimulating discussion in professional circles, and will need to be followed by others.

Conclusions from the Research: 18 Propositions

The expert reports all view masculinity as socially based (gender in the social sense, not sex in the biological sense). Gender, especially in educational contexts, is not a naturally ordained, so to speak “pre-social”, permanent attribute, but a social category for purposes of action and organisation, and a resource, and is transmitted habitually through cultural and social behaviour patterns. Gender in this sense is accessible to reflective introspection and – in principle at least – capable of modification through interaction with others.

The expert reports also concur in pointing out that there is no single masculine or young-male lived-in world, but many, and that some of them are additionally subject to specific processes of change. Cultural, religious and socio-economic factors are also involved here, as are access and lack of access to education, membership of a particular “scene”, types of media consumption, etc. Those working with young males will be confronted with a wide range of individually differing life-situations. Given these realities, talk of “what it is to be a young male” is an abstraction that inevitably begs the question of who in particular is meant. It accordingly has to be borne in mind that when reference is made below to “work with young males”, “young-male-specific approaches” and the like, this always means appropriately particularised approaches to such work.

Lastly, the expert reports are unanimous that effective violence prevention, if it is to bring adequate educational measures and the development of other, less violent, forms of behaviour within the bounds of possibility, has to begin by achieving empathetic insight into the gender-specific, biographical and situational significance of those forms of young-male behaviour that are characterised by anyone, no matter whom, as violence. In other words, it has to be borne in mind that much of what the public at large, professional youth workers, adults and other young people regard as (problem) violence will have an entirely different significance in the eyes of the young people actually engaging in it.

In view of the above, any kind of violence-preventive practice will need to have answers for the following questions, at least:

- What does the violent behaviour mean for the young males in the given context?
- What constitutes the attraction of violence for young males in this situation?
- Why do they use violence to solve their problems?
- What are they avoiding when they use violence?
- What can they not say out loud or freely admit?

Detailed examination of these questions and of the causes of violent behaviour by young males casts doubt on the assumption that violence can be simply

eliminated. And the expert reports state that the distinction made between “good” aggression and “bad” violence, which is helpful in work with young males, is often left too fuzzy when the topic is discussed. Young people – on this point too the experts agree – will always seek forms of expression that enable them to live out their existing aggressive impulses. The need is for these impulses to be managed in a civilised and socially acceptable manner.

1. Lack of qualified, reflective practice specific to young males

Publications on violence prevention are now almost too numerous for overview, and very heterogeneous in terms of merit. Even on the issue of the prevention of young male violence specifically, publications and proposals are relatively abundant. The need is thus not primarily for information and theory; rather, what is clearly lacking in all the fields of action researched is relevant, generally accepted, qualified, reflective practice.

2. Insufficient regard paid to the life-situations and problem-situations of young males

In contrast to the host of gender-oriented projects for girls and young women that have been developed over the years, it is impossible to cite any parallel process of development, in any form, of approaches specific to young males. Even in *Jugendberufshilfe* (support service for youth in transition from school to work), where young men have always been over-represented in the programmes – the content and work types being primarily of interest to males – their specific life-situations receive scant attention.

3. Violence-related work as opposed to an ill-defined concept of violence prevention

The experts point out that in practical youth work the term “violence prevention” is often used in a diffuse, almost inflationary manner and, in particular, with heavy moral overtones, as a term covering anything and everything. There is thus a danger that almost any initiative launched in even the vaguest association with “violence” will automatically purport to be violence prevention. Consequently, some of the expert reports spoke of “violence-related work” in a narrower sense, meaning working methods that tackle actual specific acts of violence and/or address those constellations in which recognisable (while not universally attributed) propensities to violence or situations conducive to violence are present. Approaches of this kind openly address the needs and wants of young males, but also their resources. However, this perspective is not shared by all authors and is not universal in practical work. For example, other expert reports contend that reflective work with young males has inherent violence-preventive and integrative components even if it is not violence-related.

4. *Focus point: Physical and verbal forms of youth violence*

In all fields of action there is open discussion of physical and verbal forms of youth violence. Less openly discussed are forms of violence used against young males by adults in their capacity as nursery and kindergarten staff, parents, teachers or professional youth worker. These include the marginalisation imposed on young males by lack of traineeships or by limitations on leisure pursuits. Auto-aggressive (introverted) forms of violence among young males, e.g. high-risk behaviour, medication abuse, alcohol and drug consumption and eating disorders, become subjects of discussion only incidentally.

5. *Traditional models of masculinity prove unrealisable*

The experts are at one in seeing violence as indicating the sense of helplessness that is brought about in young males when unable to feel masculine or when feeling insignificant. In this state of helplessness, many have recourse to traditional patterns, with a tendency to express themselves by putting on an act, part and parcel of which are self-portrayal as a macho, power-conscious young male and a disposition to violence. In this way they can present themselves as strong and manly. This young male behaviour may be encountered in all fields of action: from the kindergarten, where boys conform to media role models, right through to the support service in transition from school to work stage, where the view still prevails that a proper man has a job – even when in reality this has long since ceased to be true. In this situation the fundamental dilemma confronting the lads is that they are unable to realise these traditional masculine images, yet have no alternatives at their disposal that for them make sense. There are no “little heroes”, nor are there jobs for all. The frictions that arise in this way in connection with “being a young male” now constitute an increasingly acute and still largely unsolved problem in such areas as the *Jugendberufshilfe* (support service for youth in transition from school to work). Many youth-work experts consider that an alternative is likely to be found by fostering openness to such contexts and relationships in the young males’ lived-in world as will benefit their personal development and social involvement. In this context, gender-aware work with young males must aim to break down the traditional male fixation on wage-earning – but exactly how that is to be done in practice remains for the time being a planning debate rather than a reality.

6. *Supplementary programmes as opposed to integration into standard practice*

Violence-preventive programmes specific to young males are often one-off projects or short, seminar-style educative programmes of from one to a maximum of three days’ duration. In many cases these additional programmes supplementing the standard provision make sense, as they can alert the participants to possible new ways forward. Supplementary programmes can become

questionable; however, if they in effect actually replace the confrontation process involved in everyday practice, i.e. are not an integral component of everyday practice. Yet this seems to be precisely what does often occur in reality. The expert reports indicate that work with young males is often an extra task, somehow detached from routine practice and not infrequently seen either as a dispensable aspect of the work or as an additional challenge threatening to overstretch the standard provision. Under these conditions, any linkage between standard programmes and additional courses tends to result from chance rather than from design.

However, the expert reports also concur in not rejecting short programmes out of hand. Where integrated into longer-term planning, they can be effective. Experience shows that short-duration forms of violence prevention in the sense of generally non-specific “methods” are implemented most frequently in work with boys of up to about fifteen years old. Where the subjects are older, what happens is not so much prevention as intervention. From the field of youth social work, whose province this properly is, there is almost no reporting of ideas and experience relevant to the problem of appropriate responses to the violence of older youths or of how such violence can be appropriately defined and studied.

7. Lack of institution-related theory and of acceptance

Institution-related theory of young-male-specific violence prevention is very thin on the ground. Across all the fields of action, there is almost no evidence of the formation of constructive conflict cultures or of the development of alternative images of masculinity as part of the local institutional culture and as an aspect of the local organisation’s own development. Some initial steps in this direction are most likely to be found in fairly long-term projects aligned with the social environment. Only a very few isolated cases can be found of projects that involve the entire structure of the organisation or, as the case may be, of the project itself. But these are left to fend for themselves, and are usually the result of chance combinations of circumstances. Exceptions, in the positive sense, are to be found among some of the educational providers. Thus, for instance, at the Alte Molkerei Frille, an educational facility in North Rhine-Westphalia, the educational philosophy employed has been based for many years past on the insights of gender-aware pedagogy, and reflective work with young males is an integral part of the thinking. Such cases aside, the rule remains that reflective work with young males is reliant on individuals and that their personal commitment also determines the success and the scope of the initiative undertaken. From the area of sport, for instance, the message is that the highs and lows of young-male-specific work are linked principally to the workload of a single worker. And as that workload is essentially determined by others and only minimally at the discretion of the colleague in question perso-

nally, any middle- or long-term planning is extraordinarily difficult. Cooperation with others, the formation of networks – necessary though this is deemed to be – and development of the organisation’s fitness for purpose cannot in these circumstances proceed on a planned basis.

All fields of action alike have only very few specifically qualified staff and almost no earmarked funding or dedicated premises. A more “open-minded” attitude to the subject of gender on the part of the parent organisations and the funding bodies would, in the view of the experts, constitute a major and necessary foundation for sustainable provision of young-male-specific programmes not merely of violence prevention but more widely also. The gap between that vision and reality is well illustrated by the call made in one expert report for work with young males to be established officially as a top-down initiative, as in the case of “gender mainstreaming”. Attainment of these gender-conscious objectives is only feasible, the report goes on to argue, if it is also desired, programmed and implemented at the top level of policy-making.

8. Work with young males in training and extended education

A further reason why support from the parent organisations and the funding bodies is of special importance is that hitherto the training of youth workers has paid much too little attention to work with young males, so that many professionals are unfamiliar with this field. Also, young-male-specific programmes are often offered and delivered by volunteers. This applies particularly to sport, with supervisors and trainers usually being selected on the basis of their qualifications in sports training rather than for their abilities in the area of reflective social work with young males. There being no guidelines for gender-specific work in this context, it follows that gender-specific work remains a private matter.

Much the same applies to the field of extended education. While there are now numerous programmes providing continued professional development in relation to the theme of violence-prevention, which have been developed in a context of sustained public interest in the “schools and violence debate” and largely address school-related concerns, the programmes and projects now available are concerned almost exclusively with youth violence in general; children and young people are thought of almost exclusively in terms of age-groups; beyond this, almost no significant differentiation has been attempted. The gender difference is rarely taken into account and almost never competently integrated into practice – and where the rare exceptions occur, it will be, surprisingly in the context, with reference primarily to girls. It may be noted in passing that this potentially encourages the gender-stereotyping of young males.

9. *Young-male-oriented networks*

Young-male-oriented networks, unlike their female-oriented counterparts, are still in an initial phase of development. A number of networks do now exist, but at varying stages of development in the different fields of action. Networks require resources and scope for development and growth. One comment from the area of sport calls for gender-oriented refinement of existing networks in preference to indefinitely continued creation of new networks.

10. *Physicality*

Given that violent behaviour by young males includes physical violence far more often than not, the issue of physicality is not one that can be easily disregarded in the context of violence-preventive work with young males. Physicality is thus still more central to this field than to other fields of educational practice. Concern with physicality takes various forms including a mix of games, exercises in contact and communication, and creative elements. Programmes delivering educational content by way of sport and adventure often prove more attractive to young males than those based largely on verbal approaches. In such contexts, moreover, the single-sex composition of the group is accepted by the male juveniles as “normal”. And yet it remains necessary to repeat here that in professional social education discourse and – even today – quite commonly in professional practice, physicality and all that goes with it remains confined to a subordinate role. It is as if the professional social workers, and to a still greater extent the authors contributing to the relevant professional journals, textbooks and handbooks feel slightly embarrassed at touching on this topic area with its lingering whiff of sweat.

11. *Negative definition of the target group in work with young males*

The expert reports point out the always present danger that violence-preventive work with young males will tend to stigmatise the males of this age-group in general whenever the distinction made between young females and young males cites violent behaviour as a principal criterion without at the same time clearly signalling the differences that exist within the male group. Generalised ascriptions of violence to “the young males” are regarded as a form of sexism. In this context it is seen as a “risk” attaching to work with young males that it will be deemed merely remedial – unlike work with young females, which is considered to be an extension of competence. Work with young males will be rated negatively for as long as its target groups continue to be defined negatively, for instance as disadvantaged, as “not really men”, or as generally violent. There have been repeated calls for this interpretative habit to be broken; it is time for the focus to shift to the strengths rather than the weaknesses of the male sex: time to do something for the young males.

Then again, the impression that work with young males is primarily appropriate for “problem youths”, for “difficult cases”, tends to marginalise all “normal” young males. In this way, work with young males becomes something that (from the perspective of those targeted) is regarded as decidedly “not cool” for young males in general, addressing primarily problem situations and thus losing any potential attractiveness. Ultimately this path leads to either a reinforcement of conventional role ascriptions for young males and men, or a narrowing-in on these stereotypes exclusively. Such ascriptions are commonplace throughout practice: almost everywhere there are assertiveness courses for girls (sic!) and, correspondingly, violence-prevention programmes (sometimes in the guise of conflict analysis) for the young males.

12. Exclusion from working with young males

In institutions and other youth facilities, violence soon becomes a criterion for exclusion. Staff are frightened of violent behaviour, female personnel much more so than males. Staff have not been prepared by their education and training to cope with the problems involved. Violent young males are accordingly soon excluded from residential institutions and from the youth service’s programmes (institutional code of conduct), and it is left to other individuals or institutions to take them on. Favourable circumstances may permit violence prevention to be “bought in” from external providers. However, such cooperation can only serve as an interim measure; it would be a major step forward if the existing in-house potential for successful coping with violence could be developed, so that over time institutional staff would acquire their own professional competence in this specialised field.

13. Taking critical stock of one’s own gender role

The experts repeatedly emphasise that the male youth workers are in their own persons a key instrument in work to help young males. They have great value as masculine role models, because direct face-to-face contact is the only feasible way to convey an appreciation of masculine identity and authenticity to the young males concerned. However, masculinity on its own is not a sufficient qualification, and nor are special methods or activity skills relating to this group. What are needed are special sensitivities in matters of gender and the capacity for analytical reflection on traditional masculinity and its ways. Furthermore, and this is stressed again and again, the male worker working with young males must be prepared to take frank and critical stock of his own masculine role. While the importance of men as role models is emphasised, there are areas of activity (e.g. kindergarten, after-school club, primary school) in which the overwhelming majority of the workers are female and men are the exceptions. The expert report concerned with the kindergarten sector insists that work specifically addressing boys must be possible and be further ex-

tended in the areas in which mainly women are employed. Women too are capable of reflective work involving young males, provided that they can reflect on their own role and analyse it critically. That of course does not imply that reflection on how one perceives one's own role, and the acquisition of relevant competences by the professionals concerned, can be an adequate substitute for the presence of an appropriate institutional culture tending to promote alternative masculinity stereotypes (► Proposition 7).

14. The demands facing different categories of male and female youth workers

Professional youth workers engaged in or preparing for work with young males can be categorised by function. First, there are specific sectors that primarily employ women (kindergartens, after-school clubs, primary schools). While a long-term aim is to increase the proportion of men employed as kindergarten staff or primary teachers – in this respect the European benchmark is set by the Scandinavian countries – there is scope meantime, pending the achievement of such aims, for gender-oriented work to bring about qualitative improvement. In female-dominated work, there is a need for the women to develop new stances in dealing with “violent” behaviour encountered in young boys. Second, youth work professionals differ substantially as to their qualifications. While gender-oriented work, in out-of-school youth work in particular, has gained ground in recent years, and while reflective work involving young males has now established a degree of tradition among some social educationalists, it still plays only a fairly marginal role in, for example, schools and vocational training. In out-of-school youth work, finally, and here particularly in sports activities with their particular appeal to boys, there is a further challenge to be faced: the involvement of large numbers of volunteers. They have not been trained for gender-oriented work and accordingly receive no support for such work from the institutions. They are given very considerable responsibility without the corresponding degree of assistance. This applies with particular force to voluntary workers with ethnic background: the demands facing them are many and various, including delivery of integration along with gender awareness along with violence prevention. In this area there is a major need for continued professional education and for support.

15. Work with young males, violence prevention, and schools

Within the ground covered by the expert reports, the schools represent the largest and least readily definable field of action. Obligatory school attendance means that all young males can be reached through them, which is true of no other institution. Violence prevention, conflict resolution and similar initiatives are found in many shapes and forms, organised, for instance, as study groups and one-week projects, or incorporated in the school's wider curriculum. But these various efforts are seldom reflective in terms of gender, and the excep-

tions mainly target girls as a category (e.g. assertiveness courses for girls). Programmes and concepts evolved specifically for young males owe their existence almost entirely to the commitment of individual male and female teachers and do not form part of the official curriculum.

16. Young people with ethnic backgrounds

Young-male-specific work and violence prevention targeting young immigrants are still inchoate, even though the proportion of children and young people with ethnic backgrounds is high and rising in all the fields of action. Attention is often focused primarily on violence; the underlying factors such as biographical and cultural disruptions and fragile masculine identities are neglected in comparison. Similarly, the multitudinous life- and problem-situations of immigrants find only isolated responses in terms of specialised programmes.

However, it has to be borne in mind that apart from a fundamental lack of relevant programmes – with a few concrete exceptions, e.g. an anti-violence training course for young Turkish males – there is a widespread deficit in the time and the funding resources needed for the essential preparatory work that would enable development of precisely targeted, systematic educational provision for these young people.

There have been real successes involving youth workers who have an ethnic background themselves, are familiar with the cultures of origin, and speak the relevant languages, as such workers understand the male youths' problems better. They find it easier to establish relationships of trust with the young people. With the advantage of their own personal background and knowledge, they have a different way of responding to the young males' images of masculinity, to their life-situation between the cultures, and to the fact that these young males are not initially prepared to contemplate alternative images of masculinity. It is in fact often more important at this stage to make the young males stronger, to stabilise them and to support them in their decision-making, than to unsettle them by introducing new and incomprehensible images of masculinity. The workers concerned – generally male, occasionally female – will face severe demands in terms of commitment, time, the capacity for empathy, stamina, and – above all – knowledge of the gender roles and their cultural context, of the received patterns of upbringing, and of the family history experienced, especially as concerns the fathers. Yet volunteers, in particular, cannot remotely be expected to match up to this very demanding profile of requirements. As German-origin personnel have insufficient knowledge of the cultures of origin of these young males, there have been calls in *Jugendberufshilfe* (support service for youth in transition from school to work) publications for study and documentation of masculinity images relating to employment and to violence within those cultures that are represented in the support services in Germany. It is also considered important that there should be more continuing

education programmes designed to enhance the intercultural competences of professional youth workers.

17. Work with parents

While there have been some theoretical studies on gender-specific work with parents, such work is rare in practice. Work with parents is a standard task in the fields of action based on kindergarten, primary school and after-school club. At these ages, children can still be greatly influenced by their parents; however, parent evenings to which the institution could make a point of inviting the fathers, e.g. for discussion of their important role-model function vis-à-vis boys, and considered by all to be desirable, are virtually never provided. Parental work involving immigrants is handicapped by linguistic and cultural communication difficulties, with problems arising over the relaying of information and observance of rules and agreements. Views on upbringing differ significantly (e.g. in issues such as gender role observance, eating customs, and the concept of honour). In such areas, work involving parents needs to find new ways forward. However, here and there a start has already been made, especially in the kindergarten sector. This work should be encouraged, and evaluated for what it can yield in terms of transferable experience.

Institutions such as the kindergarten or school take too little account of the expectations of parents (including fathers) with ethnic background, given that such expectations may open up new possibilities of access. Thus, for example, repatriate parents regard kindergarten educators as authorities on the education of children, yet this advantage is quickly dissipated in practice for the simple reason that the educators are unaware of it and so do not know how to exploit it. Gender-specific education, rather surprisingly, has hitherto failed to concern itself with the role played by the elder brothers who for traditional and religious reasons have to look after their younger siblings and accordingly in many ways bear too great a burden in the circumstances that the new living environment imposes.

18. The European Dimension

In European debate, discussion of issues relating to work with young males in combination with issues of violence prevention is largely confined to the relevant professionals. Otherwise these issues are raised at organisational level and in open-access working environments; in the actual fields of action, the same problems have to be contended with as in Germany. Although there is something approaching a consensus among professionals with regard to the future development of young-male-specific initiatives, including violence-preventive initiatives, very little along these lines is to be found in practice. Even if in sport, for example, or in out-of-school youth work, Austria or Switzerland is

found to be returning results similar to those from Germany, the advances made remain generally insufficient. There is much scope here for future action.

Interim Conclusions

On an initial review of the research findings, it emerges clearly that while the link between violent behaviour and masculinity has been identified, development of violence-preventive measures specifically targeting young males has to date been hesitant. On the positive side, however, promising efforts and initiatives are under way both in continuing professional education and on the theoretical front. If these new approaches are to be more widely adopted in future, communication with practitioners on the ground will need to be more efficient and more persuasive than hitherto. A difficulty here is the fundamental requirement, for qualified work with young males, that every professional concerned should reflect critically on his or her own gender role. It is important, accordingly, that the challenges imposed by work with young males should not be left for the professional workers to shoulder unaided. Organisations and institutions too must be developed. This should include e.g. institutional support for and promotion of the development of alternative images of masculinity or the establishing of constructive cultures of conflict. As noted above, work with young males differs from work with young females in that stigma is involved: hence the importance of putting effort into development and persuasion in the public arena and in professional exchanges of views. This will make it possible in future for qualified, reflective approaches to be implemented much more widely.

The 18 propositions and the expert reports on which they are based are a contribution towards the realisation of this aim.

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